

AMERICAN BAR ASSOCIATION
ORGANIZED IN 1878
STANDING COMMITTEE ON PUBLIC RELATIONS
1957-1958

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AMERICAN BAR CENTER
1155 EAST SIXTIETH STREET
CHICAGO 37, ILLINOIS

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DON HYNDMAN
DIRECTOR OF PUBLIC RELATIONS

July 29, 1958

Hon. J. Edgar Hoover, Director
Federal Bureau of Investigation
Department of Justice
Washington, D.C.

Dear Mr. Hoover:

Would you please send us air-mail six glossy photographs,
8 X 10, of yourself for distribution to the press. If six copies
are inconvenient, send us one print and we will make extra
copies here. Many thanks,

Sincerely,

Assistant to the Director
of Public Relations

b6
b7C

EX-102

REC-71

94-1369-1080
FBI - NEW YORK
AUG 5 1958

REMEMBER THIS
REMEMBER THIS

6/50
ADVISORY COMMITTEE

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DANIEL J. REIDY, NEW YORK, N. Y.
WHITNEY NORTH SEYMOUR, NEW YORK, N. Y.
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ELIZABETH C. SMITH, WASHINGTON, D. C.
WILLIAM B. SPANN, JR., ATLANTA, GA.
A. D. VAN METER, JR., SPRINGFIELD, ILL.
GLENN R. WINTERS, CHICAGO, ILL.
WM. ROSENBERGER, JR., LYNCHBURG, VA.

1-Mr. Jones

8-16-58

PLAIN TEXT

TELETYPE

URGENT

TO SAC LOS ANGELES

FROM DIRECTOR FBI

AMERICAN Bar Association
DIRECTOR'S TALK BEFORE LAW AND THE LAYMAN PANEL, ABA,
LOS ANGELES, EIGHT TWENTY FIVE FIFTY EIGHT. REURRAD EIGHT
FOURTEEN FIFTY EIGHT. ADVISE EXECUTIVE
SECRETARY TO LOS ANGELES COUNTY DISTRICT ATTORNEY, THAT
TITLE OF DIRECTOR'S ADDRESS WILL BE QUOTE ~~THE LAW AND THE~~
LAYMAN UNQUOTE. TELL THAT COPIES OF DIRECTOR'S
SPEECH WILL BE DELIVERED TO HIM BY MORNING OF AUGUST
TWENTY THIRD.

b6
b7C

CDD:JMR

(4)

EX-135

REC-145

94-1-369-1081

6 AUG 18 1958

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____

APPROVED
DIRECTOR'S OFFICE

RECORDED
SOUND EQUIPMENT

AUG 19 1958

MAIL ROOM

TELETYPE

63 AUG 20 1958

312 P

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 18 1958

TELETYPE

URGENT 8-16-58 3-12 M PM NM

b6
b7C

TO SAC LOS ANGELES

FROM DIRECTOR 1 P

DIRECTOR-S TALK BEFORE LAW AND THE LAYMAN PANEL, ABA, LOS ANGELES,

EIGHT TWENTY FIVE FIFTY EIGHT. REURRAD EIGHT FOURTEEN FIFTY EIGHT.

ADVISE MR. [REDACTED] EXECUTIVE SECRETARY TO LOS ANGELES COUNTY DISTRICT ATTORNEY, THAT TITLE OF DIRECTOR-S ADDRESS WILL BE QUOTE THE LAW AND THE LAYMAN UNQUOTE. TEL [REDACTED] THAT COPIES OF DIRECTOR-S SPEECH WILL BE DELIVERED TO HIM BY MORNING OF AUGUST TWENTY THIRD.

END PLS ACK

OK FBI LA CIS

V

G.W.
July 29, 1958

REC-31

94-1-369-1082
X
Honorable Bolitha J. Laws
Chief Judge
United States District Court
for the District of Columbia
Washington, D. C.

EX-101

Callif

My dear Judge:

I have just received your note of July 24th with further reference to the August 25th program of "The Law and the Layman" to be held in the Bowl of the Biltmore Hotel at two o'clock. I have advised Justice Clark that I will attend the luncheon in the Bowl immediately preceding the event. I am looking forward to being with you and your associates.

With kind personal regards,

Sincerely,

J. Edgar Hoover

CT:LCB
(3)

NOTED

57 AUG 25 1958

MAIL ROOM

TELETYPE UNIT

Tolson
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy
W. C. Sullivan

REC'D-READING ROOM
JUL 29 1958
F B I
9:35 AM '58

SENT FROM D. O.
TIME 12:45 PM
DATE 7-29-58
BY bcon

United States District Court
for the District of Columbia

BOLITHA J. LAWS
CHIEF JUDGE

July 24, 1958

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Glavin
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington 25, D. C.

Dear Mr. Hoover:

St. George
Wdg 1-1
American Bar Association

Arrangements have now been definitely made to hold the program of "The Law and the Layman", in which you so kindly have agreed to participate, in the Bowl of the Biltmore Hotel at two o'clock on the afternoon of August 25th. Justice Clark has arranged a luncheon in the Bowl immediately preceding the event but expects it will be concluded not later than 1:45 and that a large number of those attending the luncheon will remain for the program of "The Law and The Layman".

It is my suggestion that you arrive at the Bowl not later than 1:45 so that we may arrange to indicate to you the place you will be seated during the meeting. I plan to be at the luncheon but if by any chance you have difficulty locating me will you please contact Supreme Court Justice Tom C. Clark who will be fully informed as to where you will be seated.

With best personal wishes,

Sincerely yours,

Bolitha J. Laws
Bolitha J. Laws
6RCF-A

EX-101

REC- 31

94-1-309-1082

BJL/bcb

17 AUG 1958



CRIMINAL

REG- 31

EX-101

94-1-369-1083

July 25, 1958

Tom

Honorable Tom C. Clark
Shangri-La Apartments
1301 Ocean Avenue
Santa Monica, California

Dear Tom:

Thank you very much indeed for your kind letter of July 23, with further reference to the program of the Section of Judicial Administration of the American Bar Association to be held in Los Angeles in August.

I shall be very glad indeed to accept the kind invitation to luncheon on Monday, August 25, in the Biltmore Bowl of the Biltmore Hotel starting at 12:00 Noon. Clyde Tolson will accompany me at the luncheon.

I appreciate very much the invitation of the Section to the reception and banquet on the evening of the 25th, but, unfortunately, a prior engagement will preclude my being in attendance at these affairs.

It will not be necessary for any reservations to be made for me as I had previously arranged hotel accommodations in Los Angeles.

I am looking forward to seeing you in Los Angeles next month and I hope that you have a good rest during your stay at Santa Monica.

With kindest personal regards,

Sincerely,

Tolson
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman

cc Los Angeles

CT:DSS

57 AUG 25 1958

MAIL ROOM TELETYPE UNIT

SENT FROM D. O.
TIME 2:43PM
DATE 7-25-58
BY PAA

Supreme Court of the United States
Washington 25, D. C.

CHAMBERS OF
JUSTICE TOM C. CLARK

July 23, 1958

Mr. Tolson
Mr. Belmont
Mr. John
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W. C. Sullivan
1958, Room 1
Mr. Holloman
Miss Gandy

Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D.C.

Dear Edgar:

We are looking forward to having you participate in the program sponsored by the Section of Judicial Administration, and before I leave the city I just wanted to again give you the time and place. It is still set for Monday, August 25th, at 2:00 p.m., and is to be in the Biltmore Bowl of the Biltmore Hotel.

The Section is giving a luncheon in the same room immediately before the program, and starting at 12:00 Noon. We hope you will be able to attend this also as a guest of the Section. Mr. Justice Brennan is going to speak and there will be other distinguished guests since it is the Section's traditional luncheon honoring the judiciary.

In addition, that evening, the 25th, the Section is giving a banquet in honor of the Chief Justices of the States. We hope you will be able to attend this also. There is a reception at 6:30 pm. in the Sierra Room of the Statler and the banquet follows at 7:30 p.m. in the Ballroom of the Statler Hotel. They Attorney General and Chief Justice Dethmers are both speaking. The dress is black tie.

REC-31

94-1-369-1083

We would be very pleased if you, or anyone you would care to bring with you, would be guests of the Section for both of these functions. I do hope you will find it possible to be with us for both of them.

Tolson will be present at luncheon
In addition, I wanted to ask if we could make a reservation for you at the Statler or any other hotel. Of course I shall be glad to send someone to take you from LaJolla also if you would like us to do that. I shall be staying at the Shangri-La Apartments, 1301 Ocean Avenue, Santa Monica, most of August, and you could either let me know there or just ask your office to send the response to the Court.

With warm regards, I am

wire him at Santa Monica Sincerely,

Tom (Clark)

EX-124

REC-54 94-1-8325-3
94-1-369-1083X

August 7, 1958

Honorable Thomas P. White
Suite 429
458 South Spring Street
Los Angeles 13, California

My dear Judge:

Your letter of July 29, 1958, on behalf of
Honorable Paul J. McCormick and [redacted]
has been received, and I deeply appreciate your kind
invitation to be present at the "Red Mass" on August 24,
1958.

b6
b7C

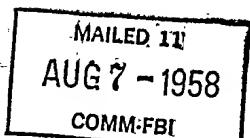
Although my schedule on the west coast
is extremely full, I will certainly keep this in mind.

Please advise your associates of my
gratitude for their thinking of me in this regard.

Sincerely yours,

J. Edgar Hoover

AUG 7 2 45 PM '58
REC'D-READING ROOM
F B I
HOL



1 - Mr. Nease - Enclosure

Nease

7/7/58

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Trotter _____
Trotter _____
Room _____
Sullivan _____
MAIL ROOM

NOTE: The "Red Mass" is a Catholic religious ceremony in which lawyers, judges and public officials participate, both Catholic and non-Catholic. These ceremonies are held in various cities throughout the U.S.

No derogatory data in Bufiles re Thomas P. White, and no correspondence
[redacted] - Salutation per mailing list.

57 AUG 25 1958
LH:cjc
JUL 18 1962
MAIL ROOM
Sullivan

fm fm

fm

SPONSORING COMMITTEE

FOR
THE TRADITIONAL "RED MASS"

*In conjunction with the Pre-Convention,
religious exercises of the 81st Annual Meeting
of the American Bar Association in Los Angeles, Calif.*

FRANCIS C. WHELAN, Secretary
458 South Spring Street
Los Angeles 13, California
MADison 5-7879

July 29, 1958

OLIN WELLBORN, III, Treasurer
714 W. Olympic Boulevard
Los Angeles 15, California
Richmond 9-7111

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Honorary Chairman
HON. THOMAS P. WHITE,
Co-chairman
JOSEPH J. KALI,
Co-chairman
JOHN F. O'HARA,
Vice-chairman, L. A. Bar
Association Committee on
Religious Services
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THOMAS W. LEBAGE
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MICHAEL G. LUDDY
FRANK J. MACKIN
ROBERT J. MAGDEN
JAMES J. McCARTHY
THOMAS H. McGOVERN
JAMES A. McLAUGHLIN
HON. FRED MILLER
HON. J. F. MORONEY
THOS. M. MULLEN
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WILLIAM S. SCULLY
G. WILLIAM SHEA
HON. JOHN SHEA
LEO B. WARD
HON. LAUGHLIN E. WATERS
HON. J. HOWARD ZIEMANN

The Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

The Sponsoring Committee for the traditional "Red Mass", respectfully invites your presence at its celebration as a part of the pre-convention religious services to be offered as an invocation of divine guidance and a petition for God's blessing upon the 81st Meeting of the American Bar Association in Los Angeles.

This Mass will be at the Church of St. Vincent de Paul, which is at Adams Boulevard and Figueroa Street, at one o'clock in the afternoon, on Sunday, August 24th.

His Eminence, James Francis Cardinal McIntyre, Archbishop of Los Angeles, will preach briefly on the place of law in our social economy.

If you will consult the desk of your hotel, arrangements can be made for transportation to St. Vincent's Church, which is less than ten minutes by auto from the larger hotels in Los Angeles.

The presentation of this letter of invitation will assure you of reserved seating.

Sincerely,

Hon. Paul J. McCormick, Honorary Chairman
Hon. Thomas P. White, Co-Chairman
[redacted] Esq., Co-Chairman

BY

Thomas P. White
THOMAS P. WHITE

EX-124

REC-54

20 AUG 19 1958

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b7c

By

40

8-11, 1958

Name Check Unit - Room 6522
 Service Unit - Room 6524
 Forward to File Review
 Attention _____
 Return to _____

*Limited Classification
Review Conducted
See Top Serial 4774*

Supervisor Room Ext.

Type of References Requested:

Regular Request (Analytical Search)
 All References (Subversive & Nonsubversive)
 Subversive References Only
 Nonsubversive References Only
 Main References Only
is in Who We

Type of Search Requested:

Restricted to Locality of AUG 12 1958
 Exact Name Only (On the Nose)
 Buildup Variations
 Check for Alphabetical Loyalty Form

Subject William M. Henry (cont.)
 Birthdate & Place 8-21-1890 San Fran
 Address _____

Localities 1444 Searcher Initials sl
 R# 444 Date 8-11-58 FILE NUMBER 67-24872 SERIAL

NP	62-38641-265-69-11
NR	William melvin Henry
NR	25-83111
NR	William
NR	44-4-32334
NR	64-200-743-56081
NR	100-45700-73
NR	65-8671-6
NR	100-44993-6
NR	61-1819-269-16
NR	77-7077-7-8
NR	138154-970
NR	67-30-5
NR	44-7559-10-459X910
NR	62-78963-38-p42
NR	71-23-216
NR	94-1-17015-710-14
NR	94-4-528-537-11

NUMEROUS REFERENCE

SEARCH SLIP

Subj: William M. StearySupervisor: H. H. Hoxie Room 4246R# (426) Date 10-11-64 Searcher Initials sub

14-11 FILE NUMBER SERIAL

NPT	Bill - Steary	
	40-76114	
	94-8-3233	
NT	9-28089	
NR	147-3253	
NT	100-3751188-2047, Ep 1844,	
	74-4-2439-554	
NT	62-34032-37	
ND	62-38644-265, Ep. 114	
ND	62-102-564-38, 9, 15	
NT	100-70100-60, 1, 25	
NPT	63-46222-13	
NT	100-3-8-13	
NP	94-3-4-166-70	
NT	100-3-8-120-60-70;	
NPT	65-40289-295-15-524	1-453-165-5
NPT	100-38364-25	
ND	100-225283-2	
ND	65-369-555	1
NPT	98-155-8-3	NPT 237
NT	100-3-3-376-2	
	100-102217-42	
NPT	65-33716-49, 0, 22, 25	
NPT	100-299061-14	
NT	100-2-2-9-223	
SD	65-5836-543	
	94-1-17015-12, 14, 15	
NT	94-4-152-5-332, NC	
NT	100-1058-40	
ND	65-30092-384	
NPT	100-3-3584-323, 1, 24,	
	100-3-6439-7	

DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____ *OK*
Mr. Nease _____ *OK*
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Trotter _____
Mr. Jones _____
Mr. W.C. Sullivan *OK*
Tele. Room *OK*
Mr. Holloman _____
Miss Holmes _____ *OK*
Miss Gandy _____ *OK*

On file
Aug 31 1958

~~EXPIRED~~ *JCE* *OK*
AUG 5 1958
H.P.

CARD MADE IN 1926 ROOM 8-5-58 842

Office Memo

um • UNITED STA 9VERNMENT

TO : Mr. Nease

FROM : M. A. Jones

SUBJECT: WILLIAM M. HENRY
aka. BILL HENRY
PANEL MEMBER
"LAW AND THE LAY
JUDICIAL ADMINIST
AMERICAN BAR ASS
AUGUST 25, 1958

DATE: August 13, 1958

Wilson
Boardman
Belmont
Mohr
Nodse
Parsons
Rosen
Tamm
Trötter
Clayton
Tele. Room
Holloman
Gandy

W. C. Sullivan

BACKGROUND:

⑥ The Director is scheduled to address the Judicial Administration Section of the American Bar Association at the annual meeting 8-25-58 in Los Angeles. The August, 1958, issue of the "ABA Journal" reflects the Director will address this program and indicates the program will consist of a distinguished panel including US District Judge William C. Mathes of Los Angeles, Chief Judge Phil S. Gibson of California, Superior Court Judge Louis Burke of Los Angeles, and columnist and television reporter Bill Henry of the "Los Angeles Times." By memo dated 6-13-58 summaries were furnished for the Director's use on the above three judges and Chief Judge Bolitha J. Laws of the United States District Court, Washington, D. C., who was scheduled to be in charge of this program before his recent brain tumor operation. Following is a brief summary re Henry.

PERSONAL HISTORY:

The current Who's Who in America reflects that Henry was born 8-21-90 at San Francisco, California. He was educated in various schools in the United States and abroad. He was a student at Sydney University, Australia, in 1910 and attended Occidental College, Los Angeles, from 1911 to 1914. He has been with the "Los Angeles Times" since 1911 and was a Times and CBS war correspondent with the R.A.F. in France in 1939 and was a war correspondent in the South Pacific in 1942. He served as an administrative aide to Vice President Nixon on a round-the-world good will trip in 1956. He was a member of the President's Committee on Fitness for Youth in 1956. He was president of the Radio Correspondent Association in 1947 and served as chairman of the Radio-TV Arrangements Committee for the Republican and Democratic Political Conventions

SFD 1050
15-Mr. Mohr

1 - Mr. DeLoach

1 - Mr. W. C. Sullivan

1 - Mr. Dalbey - Room 5232

REC- 88

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED 31
DATE 1/31/92 BY 980314

12 AUG 19 1958

HEH:dlp
(11)

SENT DIRECTOR
8-14-58

Memorandum to Mr. Nease
Re: WILLIAM M. HENRY

in 1948, 1952 and 1956. He received the National Headliners Award in 1943 as an outstanding columnist and the Headliners Award for radio reporting in 1948. He also received the Freedom Foundation's Special Achievement Award in 1951-52 and The Olympic Diploma given by the International Olympic Committee at Helsinki, Finland, in 1952. He maintains his home residence at By the Way Ranch, Chatsworth, Los Angeles, and also has a residence at the Dorchester House in Washington.

DATA IN BUFILES:

In view of the long-time prominence of Bill Henry, Bufiles contain numerous references to him. As a reporter he has naturally been in contact with many officials both of this country and abroad.

By letter dated 5-13-49 the Director expressed his appreciation for the most favorable column by Henry concerning Judith Coplon. He concluded his column as follows: "You can have Fu Manchu--I'll take the FBI."

RECOMMENDATION:

None, for information.

✓ Kugler
8/14

JW

Office Memorandum

UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: August 16, 1958

FROM : G. A. NEASE

**SUBJECT: REQUESTS FOR ADVANCE COPIES OF
DIRECTOR'S AMERICAN BAR ASSOCIATION (ABA)
SPEECH, AUGUST 25, 1958**

77
Tolson _____
Boardman _____
Belmont _____
Mohr _____
Massey _____
Persons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Holloman _____
Gandy _____

The Director has instructed that we advise him immediately as to the specific requests that have been made for advance copies of his speech, which is to be delivered August 25, 1958, before the Judicial Administration Section of the ABA, Los Angeles, California.

Director of Public Relations, ABA, has requested that 25 copies be delivered to the Press Room (the Wilshire Room), Hotel Statler, Los Angeles, California, in care of [redacted]. In his original letter 7-8-58 Hyndman requested these by August 18, 1958. The Director, by letter 7-15-58, told [redacted] that copies would be furnished prior to the actual delivery of the address.

Executive Secretary to Los Angeles County District Attorney [redacted] advised our Los Angeles Office 8-14-58 b6 b7C that District Attorney [redacted] along with Justice Tom C. Clark, was cochairman of the Judicial Administration Section of the ABA which covers the panel on "Law and the Layman." They have instructed [redacted] to handle the publicity. [redacted] told the Los Angeles Office that he desired immediately the title of the Director's talk or whatever information was available for advance publicity. He desired by Friday, August 22, 1958, a copy of the text or excerpts for the purpose of covering the press on August 25, 1958. He requested 20 advance copies of the Director's speech for newspapers, radio, and TV. At the Director's instructions, the Los Angeles Office was instructed by teletype 8-16-58 to tell [redacted] the title of the Director's speech would be "The Law and the Layman" and that advance copies of the Director's speech would be in his hands by the morning of August 23, 1958. Calif.

Luther Huston, Public Information Officer of the Department, has indicated a willingness to assist in any publicity regarding the Director's speech. It might be good to give Huston at least 20 advance copies. Huston will be residing at the Statler Hotel, Los Angeles, as of the afternoon of 8-24-58.

5 7 AUG 28 1958 (39b)

1-Mr. Jones
CDD:jmr
(3)

SENT DIRECTOR
8-16-58

REC-97

EX-108

Z AUG 25 1958

(over)

Memorandum to Mr. Tolson from G. A. Nease
Re: Requests for Advance Copies of Director's ABA Speech, 8-25-58

b6
b7C

To summarize, 25 copies should be delivered to [redacted]
Director of Public Relations, ABA, the Press Room (the Wilshire Room).
Hotel Statler, Los Angeles. Copies should be delivered to [redacted]
Executive Secretary to the Los Angeles County District Attorney, Room 600,
Hall of Justice Building, Los Angeles, on the morning of August 23, 1958. It
is additionally suggested, as mentioned above, that at least 20 copies be delivered
to Luther Huston at the Statler Hotel, Los Angeles. Luther Huston will not arrive
in Los Angeles until the afternoon of Sunday, August 24. A memorandum has
already been submitted relative to forwarding copies to individuals on the mailing
list, friendly commentators, publishers, etc.

ACTION:

As indicated above.

OK

OK
L

Office Memorandum

UNITED

GOVERNMENT

TO : MR. NEASE

DATE: August 20, 1958

FROM : M. A. JONES

SUBJECT: A DIRECTOR'S ABA SPEECH

8/25/58

DISTRIBUTION OF COPIES

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

PURPOSE: It is felt advisable to set forth in one memorandum present plans for distribution of copies of the Director's speech.

SPECIAL CORRESPONDENTS' LIST: Single spaced copies of the speech will be mailed on the day of its delivery to everyone on the Special Correspondents' List.

FIELD OFFICES: Six double spaced copies will be sent to all field offices without cover letter on Friday, August 22, 1958.

SPECIAL CONTACTS: The Director has previously approved that copies be sent to a group of good friends of the Bureau in the newspaper, radio and television fields in sufficient time so that they will have the speech at the time of its delivery. Many of these are already on the Special Correspondents' List and care will be taken to assure no duplications of copies being sent. These will be mailed in sufficient time for them to read the speech before delivery. These will be double spaced.

COPIES BEING SENT TO THE DEL CHARRO HOTEL: The Director has requested that when copies are sent to persons on the Special Correspondents' List that the following three individuals receive their copies at the Del Charro Hotel, 2380 Torrey Pines Road, La Jolla, California, instead of their home addresses: [redacted]

[redacted] These will, therefore, be sent on the date of delivery and will be single spaced.

b6
b7CDOUBLE SPACED COPIES TO BE SENT TO LOS ANGELES OFFICEFOR DISTRIBUTION:

Double spaced copies of the speech have been sent to Los Angeles as follows:

(1) A packet containing a total of 36 double-spaced copies of the speech was sent to SAC Brown at Los Angeles on August 19, 1958. This packet contained 12 separate copies and 2 sets of 12 to be delivered to individuals described by Mr. Tolson as 2 newsmen when cleared by the Director and Mr. Tolson. This

1 - Mr. Nease

1 - Mr. McGuire

1 - Mr. Wick

1 - Miss Gandy

HEH:cjc:ejp (12)

REC- 50

94-1-369-1086

AUG 28 1958

(memo continued on next page)

52 SEP 4 1958 /93

CRIME REC.

Jones to Nease Memorandum:

appears to be [redacted] Director of Public Relations, American Bar Association, who had previously requested 25 copies to be delivered to the Press Room, (Wilshire Room) Hotel Statler, Los Angeles. [redacted] requested these by letter dated July 8, 1958, and wanted them by August 18, 1958. We told him under date of July 15, 1958, that copies would be furnished him prior to the actual delivery of the address.

(2) [redacted] Executive Secretary to the Los Angeles County ^{b6} _{b7C} District Attorney, advised our Los Angeles Office on August 14, 1958, that he had been instructed by District Attorney [redacted] and Justice Tom Clark, co-chairmen of the Judicial Administration Section of the American Bar Association, to handle the publicity in connection with the panel on "Law and the Layman." He requested 20 copies of the speech. We have now been advised by the Los Angeles Office, however, that [redacted] Assistant to the Director of Public Relations, American Bar Association, headquarters in the Wilshire Room, Hotel Statler, has taken over the responsibility of [redacted] and instead of 20 copies as requested by [redacted] [redacted] desires 30 or 40 copies of the speech.

Miss Gandy has advised that the Director has approved your memorandum to Mr. Tolson dated August 16, 1958, indicating the number of copies desired by [redacted] and originally by [redacted] therefore, 75 additional copies of the speech are being dispatched to the Los Angeles Office today in order to take care of the increased request of [redacted] and also to provide a few extra copies in the event further demands are made upon the Director, Mr. Tolson or the office for additional copies.

LUTHER HUSTON:

Twelve copies of the speech were furnished to Mr. Huston yesterday evening, August 19, 1958.

pn
All handled in
curve process ✓

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nease

DATE: 8-25-58

FROM : M. A. Jones

SUBJECT: COPIES OF DIRECTOR'S SPEECH BEFORE THE
AMERICAN BAR ASSOCIATION - AUGUST 25, 1958
TO BE SENT TO THE FOLLOWING JUDGES:

Tolson	_____
Boardman	_____
Belmont	_____
Mohr	_____
Nease	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
Clayton	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

W. C. Sullivan

Honorable Warren E. Burger
 Honorable Learned Hand
 Honorable Bolitha J. Laws
 Honorable Claude McColloch
 Honorable Edward A. Tamm

Justices Laws, McColloch and Tamm are on the Special Correspondents' List and copies of the Director's speech have been mailed to them.

Judges Burger and Hand are not on the Special Correspondents' List and a copy of the speech ~~will~~^{was} mailed to them without cover letter on August 25, 1958. The copy to Judge Hand is ~~was~~^{being} directed to his home address as he is retired from the bench.

RECOMMENDATION:

For information.

JK:mrh
(2) *mark*

REC-93
8/27/58
94-1-369-1087
EX-139
12 AUG 27 1958
JW

23
52 SEP 2 1958

DECODED COPY

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Clayton _____
 Tele. Room _____
 Holloman _____
 Gandy _____

Radio

Teletype

DEFERRED

8-19-58

TO DIRECTOR

FROM SAC LOS ANGELES

192005

DIRECTOR'S TALK BEFORE LAW AND THE LAYMAN PANEL, ABA, LOS ANGELES, AUGUST 25, 1958. RE LA RAD AUGUST 14 AND BUTEL AUGUST 16. [REDACTED] ASSISTANT TO DIRECTOR OF PUBLIC RELATIONS, ABA, IS NOW HEADQUARTERED WILSHIRE ROOM, STATLER HOTEL, 930 WILSHIRE BLVD., LA. [REDACTED] WHO WAS PREVIOUSLY GOING TO HANDLE PUBLICITY FOR JUDICIAL ADMINISTRATION SECTION, ABA, IS TURNING OVER SAME TO [REDACTED] WOULD LIKE 30 TO 40 COPIES OF DIRECTOR'S SPEECH RATHER THAN 20 ORIGINALLY REQUESTED BY [REDACTED]

b6
b7c

RECEIVED:

6:17 PM RADIO

6:25 PM CODING UNIT YH

E

Mr. Nease

EX-139

REC-15

cc: MR. JONES
MR. HOXIE

94-1-369-1088

10-24-58
10-24-58
CRIMINAL SEC.
CALLEDMR. McGUIRE
10-24 PM
L

67 SEP 3 1958

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nease

DATE: August 26, 1958

FROM : M. L. Jones ✓ American Bar Association ✓

Wilson ✓
 Boardman ✓
 Belmont ✓
 Mohr ✓
 Negro ✓
 Parsons ✓
 Rosen ✓
 Tamm ✓
 Trotter ✓
 Clayton ✓
 Tele. Room ✓
 Holloman ✓
 Gandy ✓

SUBJECT: ~~RADIO AND TELEVISION COVERAGE~~
 DIRECTOR'S SPEECH BEFORE AMERICAN
 BAR ASSOCIATION, AUGUST 25, 1958
 LOS ANGELES, CALIFORNIA

General ✓ W. C. Sullivan

It is being noted that our coverage of twenty-one major radio and television news commentator programs on August 25, 1958, and the early morning of August 26, 1958, disclosed that two newscasters commented on the Director's speech.

Matthew Warren, on his 6:15 p.m. television news program over WTTG, Channel 5, made reference to Mr. Hoover's statement during his speech relative to the shocking annual ransom paid annually to the underworld amounting to \$22 billion or \$128 for every family in the United States. He further mentioned that part of the blame for this situation was caused by over-solicitous courts. Mr. Warren during the course of his program did not editorialize with reference to Mr. Hoover's address.

Ray Henle commented on Mr. Hoover's speech during the "Editor's Notebook" portion of "Three Star Extra" heard at 6:45 p.m. over radio station WRC. Mr. Henle attributed to the Director the warning that never before in history has it been more imperative to establish order and peace in the world than it is today. Mr. Henle further referred to that portion of the Director's speech pertaining to the attempts of the Communist Party in the United States to foster the myth that it is a legitimate political party and independent of foreign control.

REC-96 94-1-369-1089
 Mr. Henle, likewise, did no editorializing on the Director's speech but confined his remarks to factual reporting.

EX-113 AUG 29 1958
 In accordance with your instructions, appropriate letters are being prepared to be forwarded to Mr. Warren and Mr. Henle. (Letters attached)

RECOMMENDATION: None. For information only.

Enclosures ~~sent~~ 8-27-58 ✓ *for RC*

WHS:jss

(5)

53 SEP 210 1958 ✓ *very x*

✓ *RS:PLRS*

AMERICAN BAR ASSOCIATION
ORGANIZED 1878

SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES
1957-1958

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DEPT. OF JUSTICE, WASHINGTON 25, D. C.
PAUL W. UPDEGRAFF
114½ S. PETERS AVE., NORMAN, OKLA.
LOUIS C. WYMAN
STATE HOUSE, CONCORD, N. H.

August 15, 1958

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. T. F. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington D. C.

Dear Mr. Hoover: *AMERICAN BAR ASSOCIATION*

At the London meeting of the American Bar Association last summer I had the pleasure of discussing the annual report of our committee for 1957 with Mr. Louis Nichols. He very kindly sent me a copy of the report of the Australian Royal Commission in the Petrov investigation which I had been trying to obtain. I enclose copy of 1958 annual report of our Committee which I hope will be of interest to you. I was responsible for the inclusion of a number of quotations from you and the reference to your excellent new book and therefore invite your comments and criticisms. This report is scheduled to be presented by our Chairman, Peter Campbell Brown at the annual meeting of the American Bar Association in Los Angeles which begins on August 25. The matters lined out were deleted at the suggestion of a representative of the ABA Board of Governors.

EX-101 Sincerely, 16 AUG 29 1958

J. F. Schlafly, Jr.

REC-3 JFS, JR:vw
ENCLOSURE
Enclosure
EX-101

5 SEP 30 1958 51 JAN 8 1959

AUG 18 1958

RELEASE ON AUGUST 26, 1958

ANNUAL REPORT

OF THE

COMMITTEE ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES

OF THE

AMERICAN BAR ASSOCIATION

August, 1958

24-1-369-1090

PAUL REVERES ARE NOT ALWAYS HEEDED

A NIGHT TO REMEMBER tells of the five iceberg warnings sent by wireless to the Titanic. When the sixth message, "Look out for icebergs," came in, the Titanic's operator wired back: "Shut up, I'm busy." Just 35 minutes later, the ship, whose captain had said "God Himself could not sink," was sinking.

The phrase "Remember Pearl Harbor" should remind us that we, people and leaders, were cocksure and complacent before the afternoon of December 7, 1941. The FBI had warned of frequent messages from the Japanese consulate at Hawaii to Tokyo telling of the presence and absence of American warships at Pearl Harbor. Dies Committee reports of Japanese espionage by fishing vessels were ridiculed as "headline hunting". Captain Laurance Safford, who was recently awarded \$100,000 by a grateful Congress for his World War II coding and decoding inventions, had decoded all the Japanese pre-Pearl Harbor war messages for his superiors. Yet, the attack came as a stunning surprise.

Most persons who are informed on Communism think our country is now in greater danger than were the Titanic and Pearl Harbor. The thesis of J. Edgar Hoover's new book, MASTERS OF DECEIT, is:

"Communism is the major menace of our time. Today, it threatens the very existence of our Western civilization."¹

In his speech to the 1957 National Convention of the American Legion, Mr. Hoover warned:

"To dismiss lightly the existence of the subversive threat in the United States is to deliberately commit national suicide. In some quarters we are surely doing just that."

On July 6, 1958, Professor J. Sterling Livingston, a Pentagon consultant stated:

"The doctrine of pre-emptive war is definitely a part of Soviet strategy. The Russians plan as part of their strategy to strike a forestalling nuclear blow against their enemies."

The lawyer-author of the Gaither Report to the President on National Security recently told our Association:

"Our security is in unprecedented peril.... The ultimate objective of international Communism is world domination, and the Soviet Union will pursue this objective ruthlessly and relentlessly, employing every possible political, economic, subversive and military strategem and tactic."³

I. COURT DECISIONS ON COMMUNISM

The 1953 Midyear Report of this Committee praised the opinions of Chief Justice Stone in Schneiderman v. United States⁴ and of Mr. Justice Jackson in American Communications Association v. Douds⁵ for their conclusion, based on Communist documents, that the Communist Party, U.S.A. is not a political party but, to quote Mr. Justice Jackson:

"is a conspiratorial and revolutionary junta, organized to reach ends and to use methods which are incompatible with our constitutional system."

¹ p. vi.

² St. Louis Post-Dispatch, July 6, 1958.

³ American Bar Association Journal, May, 1958, pp. 425-426.

⁴ 320 U.S. 118, 170

⁵ 339 U.S. 382, 424

8. United States v. Witkovich. The Court decided that, under the Immigration and Nationality Act of 1952, which provides that any alien against whom there is a final order of deportation shall "give information under oath as to his nationality, circumstances, habits, associations and activities and such other information, whether or not related to the foregoing, as the Attorney General may deem fit and proper," the Attorney General did not have the right to ask Witkovich: "Since the order of deportation was entered in your case on June 25, 1953, have you attended any meetings of the Communist Party of the U.S.A.?"

9. Schware v. Board of Examiners of New Mexico. The Court reversed the decisions of the New Mexico Board of Bar Examiners and of the New Mexico Supreme Court which had said: "We believe one who has knowingly given his loyalties to the Communist Party for six to seven years during a period of responsible adulthood is a person of questionable character." The Supreme Court ruled that "membership in the Communist Party during the 1930s cannot be said to raise substantial doubts about his present good moral character."

10. Konigsberg v. State Bar of California. The Court reversed the decisions of the California Committee of Bar Examiners and of the California Supreme Court and held that it was unconstitutional to deny a license to practice law to an applicant who refused to answer this question put by the Bar Committee: "Mr. Konigsberg, are you a Communist?" and a series of similar questions.

11. Jencks v. United States. The Court reversed two Federal courts and held that Jencks, who was convicted of filing a false non-Communist affidavit, must be given the contents of all confidential FBI reports which were made by any Government witness in the case even though Jencks "restricted his motions to a request for production of the reports to the trial judge for the judge's inspection and determination whether and to what extent the reports should be made available."

12. Watkins v. United States. The Court reversed the Federal District Court and six judges of the Court of Appeals of the District of Columbia, and held that the House Un-American Activities Committee could not require a witness who admitted "I freely cooperated with the Communist Party" to name his Communist associates, even though the witness did not invoke the Fifth Amendment. The Court said: "We remain unenlightened as to the subject to which the questions asked petitioner were pertinent." The Court did not question "the power of the Congress to inquire into and publicize corruption, maladministration or inefficiency in agencies of the Government." The Court did question the right of Congress to inquire into and publicize Communism and subversion, and suggested that this "involved a broad-scale intrusion into the lives and affairs of private citizens."

13. Raley, Stern and Brown v. Ohio. The Court reversed the Ohio Supreme Court and lower courts and set aside the conviction of three men who had refused to answer questions about Communist activities put to them by the Ohio Un-American Activities Commission.

14. Flaxer v. United States. The Court reversed two Federal courts and set aside the conviction of Flaxer of contempt for refusing to produce records of alleged Communist activities subpoenaed by the Senate Internal Security Subcommittee.

15. Sacher v. United States. The Court reversed two Federal courts and set aside the conviction of Sacher of contempt for refusing to tell the Senate Permanent Investigations Subcommittee whether he was "a member of the lawyers' Section of the Communist Party." In the second Sacher appeal, the Court again reversed the Court of Appeals and said that this question was not pertinent to the Subcommittee's investigation of Communist witness Matusow's recantation. The Court refused to hear any argument from the Government lawyers representing this Senate Subcommittee.

16. Yates v. United States. In the second Yates appeal, the Court reversed two Federal courts and held that the refusal of Communist Party member Yates "to answer eleven questions about Communist membership of other persons" did not constitute eleven contempts. In the third Yates appeal, the Court reversed two Federal courts and held that Yates's contempt sentence of one year should be reduced to the 15 days already served for this contempt.

17. Bonetti v. Rogers. The Court reversed two Federal courts and held that, although the Internal Security Act of 1950 provides that any alien, who "at any time" after entering the United States shall have been a member of the Communist Party, is deportable, Bonetti, an alien who became a Communist after entering the United States, was not deportable because he had reentered after quitting the Party. The dissenting judges charged that this construction reads "at any time" out of the Act and the word "last" into the statute, and "cripples the effectiveness of the Act."

18. Consul General for Yugoslavia v. Andrew Artukovic. The Court reversed two Federal courts and held that Artukovic, an anti-Communist refugee from Yugoslavia who is living with his wife and children in California, could not claim political asylum in America, but had to submit to an extradition hearing which would be based on Yugoslavia's political charges.

19. Rockwell Kent v. Dulles. The Court reversed two Federal courts and held that the State Department could not require every applicant for a passport to file a non-Communist affidavit.

20. Dayton v. Dulles. The Court reversed two Federal courts and held that the State Department had to give a passport to a research physicist whose passport application to accept a job in India had been denied for security reasons. The Secretary of State had found that Dayton had lived for eight months with a Communist who "was involved in the espionage apparatus of Julius Rosenberg" and that Dayton was going to work in India with another Communist "who recently renounced his American citizenship."

In accordance with the resolution of the House of Delegates and the authorization of the Board of Governors, our Committee--on the request of the State Attorney for its cooperation--applied for and obtained permission to appear as *amicus curiae* in the appeal pending in the Supreme Court of Florida from the order of dismissal of the disciplinary proceedings against Leo Sheiner. Leo Sheiner had twice previously been ordered disbarred by the Circuit Court of Florida.

Our Committee prepared and submitted a brief to the Supreme Court of Florida stating its views on the duty of the Bar and of the Courts to cleanse its ranks of an unfit member. The Committee further stated its concept of an acceptable standard of fitness for attorneys and of the unfitness of any member of the Bar who, in appropriate proceedings, persists in refusal to answer pertinent questions concerning his activities in the Communist Party or Communist-dominated fronts on the ground that his answers to such questions concerning his activities might tend to incriminate him. It is inconceivable to us that an attorney and officer of the Court may continue in good standing while he pleads self-incrimination in refusing to answer questions relating to subversive activities.

The brief pointed out that, in other walks of life, labor union officials, teachers, government employees, and employees of private industry, there had been set a standard under which the individual will be safeguarded in invoking the Fifth Amendment to inquiries which might tend to incriminate him, but by so doing he forfeits his position of trust and responsibility. ~~The Supreme Court of Florida, on the basis of a complete record in the Leo Sheiner case, has now the duty of setting a standard acceptable to the Bar and to the public.~~ The Sheiner case is very important to the Bar as other states having such problem attorneys on their rolls have been awaiting the final decision in this matter.

The Appeal was argued before the Supreme Court of Florida on February 8, 1958. Julius Applebaum, a member of our Committee, argued as *amicus curiae* for this Association. On July 24, 1958, the Court issued an Order on its own motion requesting further argument on September 5, 1958, and permitting supplemental briefs as to the application of three decisions, Max Lerner vs. Hugh J. Casey, et al; Herman Beilin vs. Board of Public Education, School District of Philadelphia; and, Milton Knapp vs. Mitchell D. Schweitzer, et al, rendered by the United States Supreme Court on June 30, 1958. Our Committee is preparing such supplemental brief in behalf of the Association and will participate in the reargument. Our Committee is willing to appear in similar cases upon direction of the House of Delegates or Board of Governors.

II. COMMUNIST TACTICS

5

Communist Russia has been called "a riddle wrapped in a mystery inside an enigma." This is true only for those who are ignorant of Communist writings. The Communists have set forth their master plan of world conquest even more forthrightly than did Hitler in MEIN KAMPF. The COMMUNIST MANIFESTO said: "The Communists disdain to conceal their views and aims."⁸ Communists have never deviated from the theory enunciated by Marx and the strategy devised by Lenin.

For those who want to understand Communism, we prescribe, not a 15-day trip to Russia, but 15 days in a library studying the Communist conspiracy. The following quotations from Communist authorities are an accurate summary of Communist tactics, strategy and objectives.

The Communist master plan for world-conquest was stated by Lenin in these words:

"First we will take Eastern Europe, then the masses of Asia, then we will encircle the United States, which will be the last bastion of capitalism. We will not have to attack. It will fall like an overripe fruit into our hands."⁹

During the last 25 years, the United States has had 3,400 meetings with the Communists, including Tehran, Yalta, Potsdam, Panmunjom and Geneva. The negotiators spoke 106 million words (700 volumes). All this talk led to 52 major agreements, and Soviet Russia has broken 50 of them. The Communists have followed Lenin's dictum about treaties and agreements:

"A promise is like a crust of bread--it is made to be broken."

During the last three years, the United States has met 73 times at Geneva with the Chinese Reds to negotiate the release of 450 American prisoners. Not one American serviceman has been accounted for or released. The Communists have followed Stalin's principle of diplomatic intercourse:

"Words must have no relation to action--otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood."¹⁰

Marx and Engels stated this objective in the COMMUNIST MANIFESTO: "The theory of the Communists may be summed up in the single sentence: Abolition of private property."¹¹

Lenin gave this command to Communists:

"We have to use any ruse, dodges, tricks, cunning, unlawful method, concealment, and veiling of the truth."¹²

On another occasion, Lenin added:

"As long as capitalism remains we cannot live in-- peace. In the end one or the other will triumph-- a funeral requiem will be sung over the Soviet Republic or over world capitalism."¹³

⁸ U.S. House Un-American Activities Committee, Strategy and Tactics of World Communism; Section A: Marxist Classics, May 29, 1956, p.71.

⁹ Collected Works of Lenin, vol. 10, p. 172.

¹⁰ HUAC, Marxist Classics, op. cit., p. 33.

¹¹ Ibid., p. 58.

¹² Hoover, Herbert, 40 Key Questions About Our Foreign Policy, Scarsdale, N. Y., Updegraff Press, 1952, p. 33.

¹³ Idem.

On September 17, 1955, Nikita Khrushchev warned us:

"If anyone thinks that our smiles mean the abandonment of the teachings of Marx, Engels and Lenin, he is deceiving himself cruelly. Those who expect this to happen might just as well wait for a shrimp to learn how to whistle." ¹⁴

Khrushchev made this statement to Western diplomats at a Moscow reception on November 18, 1956:

"If you don't like us, don't accept our invitations and don't invite us to come to see you. Whether you like it or not, history is on our side. We will bury you!" ¹⁵

Khrushchev appeared on our American television screens on June 2, 1957, and confidently told us:

"Your grandchildren will live under Socialism."

William Z. Foster dedicated his book, THE TWILIGHT OF WORLD CAPITALISM, to his great grandson "who will live in a Communist United States."

The Communist philosophy of negotiation was stated in 1931 to the Lenin School of Political Warfare in Moscow by Dmitri Manuilski, a Soviet official and at one time the presiding officer of the UN Security Council:

"War to the hilt between Communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalistic countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist." ¹⁶

Georgi Dimitrov advised the Lenin School of Political Warfare how to make use of "innocents" and "dupes" in these words:

"As Soviet power grows, there will be a greater aversion to Communist parties everywhere. So we must practice the techniques of withdrawal. Never appear in the foreground; let our friends do the work. We must always remember that one sympathizer is generally worth more than a dozen militant Communists. A university professor, who without being a party member lends himself to the interests of the Soviet Union, is worth more than a hundred men with party cards. A writer of reputation, or a retired general, are worth more than 500 poor devils who don't know any better than to get themselves beaten up by the police. Every man has his value, his merit. The writer who, without being a party member, defends the Soviet Union, the union leader who is outside our ranks but defends Soviet international policy, is worth more than a thousand party members." ¹⁷

The key to Communist tactics is the dialectic. Just as the movements of the planets are predictable by astronomers, so are Communist movements predictable by those who have studied the dialectic. The dialectic is an instrument which gives the Communists complete freedom from moral and logical restraints. According to the dialectic, the Communist objective is never approached in a direct, persistent line.

¹⁴ St. Louis Post-Dispatch, September 18, 1955.

¹⁵ U. S. News and World Report, December 27, 1957, p. 32.

¹⁶ Congressional Record, May 31, 1955, p. A3764.

¹⁷ HUAC, Annual Report, 1957, p. 2.

7

It is not even approached in a circuitous, winding pathway. The dialectic mode of progress consists of a series of advances and retreats. Communists do not wait for an opening; they create it.

Lenin described the dialectic as "one step forward, two steps backward."¹⁸ The Communists go backward and forward to inevitable victory. The operation of the dialectic is like hammering a nail. It is a foolish man who brings down the hammer with a crashing blow and then continues to push. When that blow has spent itself, the entire direction of progress is reversed, and the goal is achieved through a series of backward-forward motions. According to the dialectic, even though heading away from the goal, you are still fulfilling the scientific method of approach; and therefore the reverse movement must be carried out with the same fervor and determination.

The closing of the DAILY WORKER was a dialectical maneuver. The Communist Party made a dialectical retreat in stopping publication of the leading Party organ on January 13, 1958 under the subterfuge that it was in dire financial condition. In so doing, the Communist Party made a two step advance. First, it strengthened the discipline of the Party because, as J. Edgar Hoover has pointed out, the internal struggle for power resulted in "a decisive victory for the pro-Soviet faction."¹⁹ Secondly, the ousted editor of the DAILY WORKER, John Gates, now performs the function of a Tito within the United States. Gates is infinitely more valuable to Communism lecturing at American colleges and universities than he ever was while with the DAILY WORKER. Gatesism promotes the apathy of the intellectuals under the theme: "Communism is dying out." The Communists aim to keep us complacent until the choice is annihilation or surrender, at which time they confidently expect us to submit to a negotiated surrender.

Also during this past year, the Communists went forward with the rocks and garbage thrown at Vice President Nixon in South America; backward with the smiles of Menshikov; forward with the executions of Nagy and Maleter; backward by allowing Tito to make a few anti-Soviet statements; forward with the defeats of anti-Communists in Syria and Indonesia--all with the same unity of purpose that makes everything contribute to their plan of world conquest.

The major Communist tactics at the present time include the following:

1. Nullification of the Smith Act and other anti-Communist legislation. FBI Director J. Edgar Hoover testified January 16, 1958, at a House hearing made public in May, that 49 of the 108 top Communists convicted by Federal juries under the Smith Act have been set free by Supreme Court decisions.²⁰ Judge Richard H. Chambers of the U.S. Court of Appeals, in a decision releasing 11 of these top Communists, said that Supreme Court decisions have left "the Smith Act, as to any further prosecution under it, a virtual shambles."

J. Edgar Hoover also testified that "A top Communist functionary" described the decision in the Smith Act case of June 17, 1957, as "the greatest victory the Communist Party in America has ever received."²¹ The DAILY WORKER summed up the Yates, Watkins and other cases of that same day in these words: "The curtain is closing on one of our worst periods."²² The Sunday WORKER of May 11, 1958, contains strong opposition to any legislation to overcome the Supreme Court's rulings on internal security.

18 HUAC, Marxist Classics, op. cit., p. 187

19 U.S. House Appropriations Subcommittee, Hearings on the Department of Justice, January 16, 1958, p. 176.

20 Ibid., p. 173.

21 Ibid., p. 174.

22 Editorial, June 19, 1957.

Other anti-Communist laws which have been targets of the Communist Party and which are now nullified or weakened by the foregoing 20 cases are the Subversive Activities Control Act of 1950, the anti-sedition laws of 42 states, Alaska and Hawaii, key security provisions of the Immigration and Nationality Act of 1952, and the Summary Suspension Act of 1950.

2. Muzzling the FBI and Congressional investigations.

For years the Communist Party has poured out its most hysterical language against what the Reds call "the Gestapo-like FBI", and Congressional "inquisitions" and "witch hunts". This tactic has been so successful that it is now said that the Communists don't have to tell Congressional committees anything.

~~As a result of the Watkins decision, in which the Supreme Court denied Congress the right to determine whether the questions asked pre-Communist witnesses are "pertinent", Judge Robert Morris, Chief Counsel for the Senate Internal Security Subcommittee for six years, said: "The power of the Congress to learn the underlying facts of the Communist conspiracy has been hamstrung, since the decision in the Watkins case."~~

In the first session of Congress since the Watkins decision, the House Un-American Activities Committee conducted only one investigation and the Senate Internal Security Subcommittee held only one public hearing. On July 5, 1958, the press reported that Congressional investigations into the Communist conspiracy have reached an all-time low for the last two decades, although committee files are bulging with data on the conspiracy which are crying for exploration.

The experience of France and particularly Germany shows the danger of restricting legislative investigations.²³ Bismarck so feared the power of parliamentary investigation that he dissolved the Prussian Parliament when it attempted to assert its right of investigation. Historians agree that the lack of legislative investigation was the greatest single cause for the authoritarianism of Imperial Germany. When the Weimar Republic was created, Article 34 of the constitution granted the Reichstag the power "to appoint investigating committees." When the Reichstag attempted to exercise its constitutional right, the German Constitutional Court, in two key cases, narrowed the scope of parliamentary inquiry so considerably that the investigating powers of the Reichstag were inadequate to its tasks. As a result, the Reichstag never exposed the Nazi Party, or Hitler's purges, concentration camps and secret police. The success of the Nazi conspiracy taught the German supreme court a lesson. On August 17, 1956, it handed down a scholarly 375-page opinion which outlawed all activities of the Communist conspiracy in West Germany.

3. Elimination of Federal and state security programs. This tactic has been completely successful in regard to non-sensitive positions, although evidence is abundant that the Communist conspiracy considers non-sensitive positions vitally important. Military security officers have caught Communist janitors collecting the contents of waste baskets and Communist stenographers making an extra carbon copy of all documents and mailing them to their Communist superiors. The NEW YORK TIMES reported on July 11, 1958 that there are more than 300 Government employees dismissed or suspended as security risks who are due to be reinstated with back pay.

Everyone admits that government employment is not a right but a privilege. Yet the effect of the Cole, Service, Slochower and Sweezy decisions is to prevent Federal and state governments from withdrawing this privilege from those who associate with Communists or who are security risks. ~~In voting to denaturalize the same Schneiderman whose Smith Act conviction was recently set aside by the Supreme Court, the great Chief Justice Stone said: "A man is known by the ideas he spreads, as well as by the company he keeps."~~

²³ Ehrmann, Henry W., "The Duty of Disclosure in Parliamentary Investigation: A Comparative Study", 11 University of Chicago Law Review 117-153, February, 1944.

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On July 9, 1958 the legal chief of the State Department Passport Division testified in Congress that, as a result of the June, 1958 decisions by the Supreme Court in the Kent and Dayton cases, the State Department has had to issue 77 passports to suspected subversives and has another 70 applications pending whose travel abroad will be against the security of the United States. He pleaded for early passage of the legislation submitted by President Eisenhower to overcome these decisions and to give the State Department authority to bar passports from persons whose travel abroad may be deemed injurious to American security.

Joseph Z. Kornfeder, one of the founders of the Communist Party U.S.A., who is now anti-Communist, testified that American passports are essential to Communist spying operations. These Supreme Court decisions, he testified, will save the Soviet Union time and money because it will no longer be necessary to forge American passports.

4. The Peace Offensive. On April 1, 1951, the House Un-American Activities Committee issued a report called "The Communist Peace Offensive: A Campaign to Disarm and Defeat the United States." This document showed in detail how intellectuals, professors, writers, and others who influence public opinion were sucked into various Communist peace fronts. This report said: "The most dangerous hoax ever devised by the international Communist conspiracy is the current world-wide 'peace' offensive."

Today, under the slogans "peace" and "peaceful coexistence", we are witnessing a revival of this Communist peace offensive. The Czechs and Hungarians found that coexistence with Communism is like getting into a cage with a hungry lion; after the lion has eaten the man, they lie down and coexist in peace. "Peaceful coexistence" means Communist conquest without war. In his February, 1956 Report to the 20th Congress, Khrushchev asserted in Aesopian language that peaceful coexistence would lead to the victory of world Communism.²⁵

Dr. Fred C. Schwarz, in his testimony before the House Un-American Activities Committee, has accurately described what the Communists mean by "peace": "Every act that contributes to the Communist conquest is a peaceful act. If they take a gun, they take a peaceful gun, containing a peaceful bullet, and kill you peacefully and put you in a peaceful grave. When the Chinese Communists murder millions, it is an act of peace. When the Russian tanks rolled into Budapest to butcher and destroy, it was glorious peace." This is what J. Edgar Hoover calls "semantic sabotage." We cannot negotiate with the Communists because they insist black is white and murder is peaceful coexistence.

5. Summit Conferences. Four experts on Communism testified before the U.S. House Un-American Activities Committee on April 30, 1958 that "the Kremlin looks upon a summit conference solely as another weapon in its program of global conquest." Dr. David J. Dallin, Dr. Anthony T. Bouscaren, Dr. James D. Atkinson and Mr. Francis J. McNamara all declared that "in seeking an international conference, the purpose of the Soviet Union is not to negotiate peace but to disarm the West intellectually and psychologically." All four consultants were in agreement that another summit conference would constitute "a grave setback for the free world."²⁶ Other experts have said that a summit conference, in Red doubletalk, means a "summit conference."

We must bear in mind that the Communists have the most deplorable record in all history for violation of solemn treaties,²⁷ and that it is the policy of Communists to promise anything and to perform nothing unless it serves their immediate ends. Just as a confirmed alcoholic

²⁵ HUAC, Marxist Classics; op. cit., pp. xxiv-xxv.

²⁶ What is Behind the Soviet Proposal for a Summit Conference?

²⁷ U. S. Senate Internal Security Subcommittee, Soviet Political Agreements and Results, 1956.

is not cured by being invited to have one more drink, so a confirmed treaty-breaker is not cured by being invited to sign a new treaty. The President is therefore right in demanding that Communists first demonstrate their good faith by complying with their prior agreements. Without such evidence of good faith, the conference becomes merely a Communist vehicle for propaganda purposes.

6. Cultural exchanges. Nikita Khrushchev's famous Report of February, 1956 lists "cultural and business exchanges" as one of those developments which will bring about the growing weakness of the United States and advance world Socialism.²⁸ On June 2, 1957, Khrushchev appeared on American television screens and called for a wider exchange of cultural delegations. On December 22, 1957, the Communist DAILY WORKER declared that "perhaps the best Christmas present Santa Claus will bring America" will be the widespread cultural exchange of certain Americans with Soviet agents coming to this country.

On January 27, 1958 the United States signed a two-year agreement with Soviet Russia for the exchange of persons in the cultural, scientific, technical and educational fields. Matt Cvetic, former FBI undercover agent who worked with the Communists for nine years, said: "Every single delegate from Russia or a satellite country with whom I ever came in contact myself, while posing as a Communist for the FBI, was either a member of the Soviet secret police or the Soviet espionage apparatus. The primary activity of every one of Moscow's 'cultural' delegates while in this country is to promote the Communist world revolution." E. H. Cookridge, former British secret service agent and an authority on Soviet espionage, had this to say: "Every Soviet football team, every athlete competing at an international sport event, Soviet scientists attending a Congress abroad, the Moscow Ballet performing in a Western capital or a group of Soviet artists at a film festival are invariably accompanied by special agents of the Soviet secret police." Judge Robert Morris, who has spent the last 17 years intensively studying the Communist conspiracy, said: "In past years of the exchange, secret police have passed as farmers, ice-skaters, clergymen and scientists for the purpose of conducting espionage operations in this country."

We commend the Veterans of Foreign Wars for their brilliant evaluation of the program of cultural exchanges with Soviet Russia. The VFW said: "The U.S. is losing and Moscow is gaining through this program as it is now operated.... Moscow obviously wants only those exchanges and contacts which give its trusted agents an opportunity to mislead foreigners about the Soviet Union.... Moscow has also used the visitor-exchange program as a means of weakening U.S. security regulations."²⁹ We also commend AFL-CIO President George Meany for his statement on cultural exchanges: "No believer in the basic principles of free trade unionism could today conceivably desecrate these principles by undertaking to visit a country whose tyrannical leadership has for the 40 years of its existence been the avowed and uncompromising enemy of all human rights."

Cultural interchange with Soviet Russia is a one-way street. When Americans go to Russia, they speak only through interpreters, see only what the Communists want them to see and hear only Communist propaganda. ~~By the nature of the process, when these Americans return home they mouth Communist propaganda.~~ For example, in the Ukraine, the Soviet Government built a children's playground over a mass grave of thousands of anti-Communists. Visitors to Russia, seeing only the surface, come home and report how kind Communists are to their children.

Ivan Pushkar, a Ukrainian imprisoned in slave labor camps in Siberia, testified before the House Select Committee on Communist Aggression³⁰ how the Russians would "stage these conducted tours for foreigners" with "ruse and fakery and fraud." Henry A. Wallace, in a

²⁸ HUAC, Marxist Classics, op. cit., pp. xxiii-xxiv.

²⁹ Veterans of Foreign Wars, Guardpost for Freedom, December 1, 1957 and June 1, 1958.

³⁰ October 11, 1954.

frank article published in 1952, related that he did not realize during his tour of Soviet Russia how the Communists were making feverish efforts to hoodwink him. Wallace said it was only much later that he learned how a Communist slave labor camp had been transformed into a show city, with prisoners herded out of sight and watch towers torn down, merely to deceive the American Vice President. Elinor Lipper verifies this in her book, ELEVEN YEARS IN SOVIET PRISON CAMPS. As a prisoner in a slave camp visited by Wallace, she gives an inside account of how American tourists in Russia are deceived.

On the other hand, Communist visitors to the United States have been given access to our industrial and agricultural knowhow, as well as to some of our scientific and military installations. This knowledge has been used to strengthen the Communist dictatorship in areas where it is weakest, such as labor-saving devices and corn-hog production.

7. Recognition of Red China. Diplomatic recognition is essential to Communist subversion. The Communist espionage apparatus needs the diplomatic immunity of its embassies and consulates to set up spy centers. It needs the unbroken seal of the diplomatic pouch to transmit orders to its spys and couriers and to receive back their reports and microfilmed documents.

How the Red diplomatic apparatus functions is described in detail in the Report of the Canadian Royal Commission ³¹ which investigated code clerk Igor Gouzenko's revelations, in the Report of the Australian Royal Commission ³² which investigated Embassy Secretary Vladimir Petrov's confession, and in the Senate Internal Security Subcommittee investigation of United States Communists working for the UN ³³ conducted by Senator Herbert O'Conor, past Chairman of this Committee.

That Red China will model her tactics after the tactics of Soviet Russia is made clear by the statement of premier Chou En-lai in the Communist magazine INTERNATIONAL AFFAIRS:

"The great Communist Party of China, organized by progressive elements of the Chinese people, was founded and developed under the influence of the October Revolution, and was modeled on the Communist Party of the Soviet Union." ³⁴

8. Halt nuclear tests. The current Communist tactic to get an agreement with the West halting nuclear tests is similar to Soviet exploitation of the agreement made at Panmunjom not to rearm the North and South Koreans with jet planes and other modern weapons. The Soviets promptly violated this agreement. Then they violated its inspection clause by refusing to permit the neutral inspection team to inspect North Korean airfields.

Most experts agree that the net results of the suspension of nuclear tests would be that the United States would stop testing but that, within the vast, isolated Soviet land mass, there would be circumvention of the ban on testing.

The National Academy of Sciences, in a report on "The Biological Effects of Atomic Radiation", said that the United States population is exposed to radiation from the natural background of cosmic rays, etc., of about 4.3 roentgens, and from medical and dental X-rays of about 3 roentgens. Nuclear "weapons tests--if continued at the rate of the past 5 years--would give a probable 30-year dose of about 0.1 roentgens." This is less than one would get from a radium dial on a wrist watch. This report was confirmed by a report to Parliament made by the Medical Research Council of Great Britain.³⁵

³¹ June 27, 1946

³² August 22, 1955.

³³ January 2, 1953.

³⁴ November, 1957, p. 20.

³⁵ U. S. News and World Report, June 7, 1957, pp. 25-27.

9. East-West Trade. Khrushchev's Report of February 14, 1956 calls for East-West trade; ³⁶ and this has been part of the Communist line for many years. Foreign trade, to a Communist country, is a means of waging cold war. It is a means of obtaining from the outside world the strategic materials with which it can arm itself for world conquest. Trading with the Communist bloc would be a psychological as well as a military defeat for the United States. The goods we might sell to the Communist bloc will be used against us just as the superb Rolls-Royce jet engines sold to Russia were used to power the MIG-15s against us in Korea.

In May, 1958, Khrushchev sent an 8-page letter to President Eisenhower in which he brazenly suggested that the United States grant Soviet Russia long-term dollar credits in order to finance trade with the United States. We would not gain by trading our machinery for Soviet I.O.U.s or even Russia's raw materials. The Senate Report on the "Accessibility of Strategic and Critical Materials" issued July 9, 1954 shows that the Western Hemisphere contains all the 77 critical and strategic materials needed for military security. The answer to the propaganda for East-West trade is more North-South trade.

10. Propaganda. Communists are spending \$3,000,000,000 a year on propaganda which is reaching every city and hamlet in our nation. In one day, Communist propaganda coming through New York City alone fills three large warehouses, and not a single piece is labeled "Communist propaganda" as required by the Foreign Agents Registration Act. This propaganda comes not only from Russia, but also from Red China, from Iron Curtain countries, and from western Europe. Much additional Red propaganda is published in the United States by Communist publishers.

The House Un-American Activities Committee recently reported: "Propaganda is part of a global program which ranks as one of the Kremlin's most important instruments of conquest." Henry Loomis, former Director of the Office of Research and Intelligence of the United States Information Agency, estimated that 25 million persons throughout the world are directly engaged in disseminating Communist propaganda. ³⁷

11. Humiliation. As a dialectical maneuver in between its peace offensive and its drive for a summit conference, the Kremlin uses the tactic of humiliation. This tactic had already been used by the Communists on American prisoners in Korea.

Communists masterminded insulting demonstrations all over South America against Vice President Nixon which included spitting on him and the throwing of rocks and garbage. On July 18, 1958, a mob of 100,000 Communists gathered in front of the American Embassy in Moscow and threw ink bottles and stones which shattered most of the windows on the first five floors. All spring there was a wave of demonstrations against the American information agencies in various parts of the world, with burnings of the American libraries. This summer, there has been the series of kidnappings of American citizens: 9 U.S. soldiers held by East Germany, 9 U.S. airmen shot down in Armenia, and 47 civilians, sailors and marines kidnapped in Cuba. In addition, there is an untold number of Americans who are being held captive in the Soviet Union. In an interview this summer, John Noble, one of the few captives who has been released, made this statement about American prisoners in Red slave labor camps: "Every day the Russians taunted us -- 'If you had a Government in America, they'd get you out.'"

III. HINDSIGHT OR FORESIGHT?

On June 17, 1958, when the Soviet news agency TASS announced the executions of former Hungarian Premier Imre Nagy, General Pal Malter and two other leaders of the anti-Communist rebellion of 1956, Western

³⁶ HUAC, Marxist Classics, op. cit., pp. xxiii-xxiv.

³⁷ Annual Report, 1957, p. 33.

leaders expressed shock and dismay. General Maletter, the hero of the rebellion, was seized by the Soviets when he met with them under a flag of truce to negotiate the withdrawal of the Red army from Budapest. Nagy and his associates were executed although they had received a written guarantee of safe conduct when they left their asylum in the Yugoslav Embassy.

To even the most elementary student of Communist history and tactics, these enormous acts of treachery came as no surprise. In March 1945, 16 top leaders of the Polish government were invited to Moscow for negotiations and were promised "on the word of honor" of the Soviet government, that they would have safe conduct. All 16 were arrested and then vanished. Nothing was heard of any of them until 10 years later, when the wife of General Leopold Okulicki was notified of his death 9 years before in a Soviet prison.³⁸ The perfect parallel between Soviet betrayal of safe-conduct pledges to the Poles in 1945 and to the Hungarians in 1958 should remind Western leaders of the old Indian maxim: "Pale face cheat red man once, shame on pale face. Pale face cheat red man twice, shame on red man." Since the Katyn Forest Massacre of 1943, it has been obvious that coexistence with Communism is a contradiction in terms.

With each succeeding act of Soviet bad faith, many Western spokesmen express surprise. When anti-Communists reply, "You should have expected this," the politically naive make a common rejoinder: "That is mere hindsight; no one could have predicted that the Communists could be that bad!" It is appropriate to point out that informed anti-Communists have always known and publicly stated that it is impossible to negotiate with international Communism.

It was not hindsight, it was foresight when Secretary of State Bainbridge Colby said on August 10, 1920:

"The existing regime in Russia is based upon the negation of every principle of honor and good faith.... The responsible leaders of the regime have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements.... Upon numerous occasions the responsible spokesmen of this Power, and its official agencies, have declared that it is their understanding that the very existence of Bolshevism in Russia, the maintenance of their own rule, depends, and must continue to depend, upon the occurrence of revolutions in all other great civilized nations, including the United States, which will overthrow and destroy their governments and set up Bolshevik rule in their stead. They have made it quite plain that they intend to use every means, including, of course, diplomatic agencies, to promote such revolutionary movements in other countries. ...We cannot recognize, hold official relations with, or give friendly reception to the agents of a government which is determined and bound to conspire against our institutions; whose diplomats will be the agitators of dangerous revolt; whose spokesmen say that they sign agreements with no intention of keeping them."³⁹

It was not hindsight, but foresight when Secretary of State Charles Evans Hughes stated on March 21, 1923:

"We are just as anxious in this Department and in every branch of the Administration as you can possibly be, to promote peace in the world, to get rid of hatred, to have a spirit of mutual understanding, but the world we desire is a world not threatened with the destructive propaganda of the Soviet authorities, and one in which there will be good faith and the recognition of obligations and a sound basis of international intercourse."⁴⁰

³⁸ Mikolajczyk, Stanislaw, The Rape of Poland, New York, McGraw-Hill Book Co., 1948, pp. 111-112.

³⁹ U.S. Senate Internal Security Subcommittee, Second Report, March 22, 1954, p. 41.

⁴⁰ U. S. News and World Report, December 17, 1954, p. 128.

It was not hindsight, it was foresight when Robert F. Kelley, Chief of the Division of Eastern European Affairs in the Department of State, wrote in a memorandum dated July 27, 1933:

"The fundamental obstacle in the way of the establishment with Russia of the relations usual between nations in diplomatic intercourse is the world revolutionary aims and practices of the rulers of that country. It is obvious that, so long as the Communist regime continues to carry on in other countries activities designed to bring about ultimately the overthrow of the Government and institutions of these countries, the establishment of genuine friendly relations between Russia and those countries is out of the question." ⁴¹

It was not hindsight, it was foresight when U.S. Ambassador to Moscow Laurence Steinhardt reported on June 17, 1941:

"My observation of the psychology of the individuals who are conducting Soviet foreign policy has long since convinced me that they do not and cannot be induced to respond to the customary amenities, that it is not possible to create 'international good will' with them, that they will always sacrifice the future in favor of an immediate gain, and that they are not affected by ethical or moral considerations nor guided by the relationships which are customary between individuals of culture and breeding. Their psychology recognizes only firmness, power and force, and reflects primitive instincts and reactions entirely devoid of the restraints of civilization. I am of the opinion that they must be dealt with on this basis and on this basis alone." ⁴²

Former President Herbert Hoover predicted on June 29, 1941:

"The gargantuan jest of all history would be if we should give aid to Stalin in the war.... The result would be to spread Communism over the world."

IV. CURRENT FALLACIES ABOUT COMMUNISM

So much misinformation is current about Communism that it is appropriate to expose some of the major fallacies.

1. "Communism in the United States is dwindling in power because the party is dwindling in numbers." This popular belief shows a complete misunderstanding of Leninism. Lenin's great contribution to Communism was his principle of the dedicated few. He coined the expression "the fewer, the better." He originated the Party of professional revolutionaries subject to military discipline. He rejected the idea of a popular party, and enunciated the principle that no one should be given Party membership unless he was under discipline. This is how Lenin was able to establish Communism with only 17 supporters and to take over Russia with only 40,000.

It is just as false to measure the strength of Communism in the United States by comparing the small number of Party members with the large number of non-Communists, as it would be to measure the seaworthiness of a ship by comparing the area of its holes with the area of its hull. A few strategically-placed holes can sink the largest ship.

— The real strength of Communism in the United States is the number of non-Communist organizations and individuals who will collaborate with the Communists. For every Communist Party member, there may be 100 non-Communists who will do the work of the Communists.

⁴¹ Ibid., p. 130.

⁴² Ibid., July 4, 1958, p. 72.

The Communists now have 600 fronts. In addition they have "fronts in front of the fronts". Making use of their fellow travelers and dupes, plus their "united front tactic", the Communists boast they can have 50,000 letters on any issue sent to Capitol Hill or the White House inside of 72 hours.

2. "The Communist Party is just another political party." It has been indisputably established by the hearings of the Subversive Activities Control Board in 1951 and 1952, by 20 years of investigation by Congressional committees, and by the prior decisions of the Supreme Court in Dennis v. United States⁴³ and in American Communications Association v. Douds,⁴⁴ that the Communist Party U.S.A. is not just a minor political party like the Prohibition Party. In the Dennis case, Chief Justice Vinson rightly described the Communist Party as "a highly organized conspiracy, with rigidly disciplined members subject to call when the leaders, these petitioners, felt that the time had come for action."

Like an iceberg, eight-ninths of the Communist Party has always been underground. The crypto-Communists who carry no cards, and whose names appear on no Party records, are the most dangerous Communists. Top Communist agents such as Klaus Fuchs, Guy Burgess and Donald Maclean never marched in a May Day Parade, never carried a hammer and sickle banner, never raised a clenched fist at a Red rally. They were effective agents because they were always underground conspirators, and never above ground.

3. "Poverty breeds Communism." This is the false "stomach" theory of Communism. Communism is not a disease caused by an empty stomach; it is a disease of the mind and soul. Communism does not originate with the poor, the uneducated, the exploited, or the working class. Every major world Communist figure who became a Communist in a non-Communist country did so as a student intellectual, materialistic in philosophy and atheistic in faith. The list of important Communist agents who were well-fed student intellectuals includes Marx, Engels, Lenin, Stalin, Chou En-lai, Chou Teh, Mao Tse-tung, Ho Chi-minh, Alger Hiss, Harry Dexter White, Klaus Fuchs, Julius Rosenberg, Guy Burgess and Donald Maclean. The Communist government of Kerala, democratically elected after the Hungarian revolt was crushed by Soviet troops, has 11 members; 9 are the sons of Indian aristocrats or intellectuals.

4. "The only alternative to peaceful coexistence is World War III with nuclear destruction of our cities." The Communists do not want to destroy us or our cities. A dead man is useless as a slave laborer. They want to take our cities intact as they captured Prague and the giant Skoda munitions works. They plan to capture America with native Communists, just as they took Czechoslovakia with Czechs, China with Chinese, Indo-China with Indo-Chinese, South Korea with Koreans, and almost took Spain with Spaniards.

The only alternative is not World War III. Another alternative is a Declaration of Independence for the satellites and oppressed peoples of Russia. The Kremlin would not embark upon a foreign war if it had or was threatened with a strong independence movement behind the Iron Curtain. The Kremlin remembers that Communism came to power only because the Czar, and then the Kerensky government, insisted on forcing the people to fight a foreign war. The Kremlin remembers that in 1941 the Germans were welcomed as liberators, and were hard fought only after they failed to act as liberators.

⁴³ 341 U.S. 494.

⁴⁴ 339 U.S. 382.

V. SAFEGUARDING OUR REPUBLIC

1. Remedial Legislation. In his testimony before a House Appropriations Subcommittee on January 16, 1958, J. Edgar Hoover said: "Crime and subversion have become critical challenges due to the mounting success of criminal and subversive elements in employing loopholes, technicalities, and delays in the law to defeat the interests of justice." ⁴⁵

Hoover quoted a Federal judge who warned against "an unfortunate trend of judicial decisions ... which strain and stretch to give the guilty not the same but vastly more protection than the law abiding citizen." ⁴⁶ In his speech to the National Convention of the American Legion last fall, Hoover warned us:

"It would be the worst kind of folly to allow the spy and subversive immunity through technical rather than logical interpretation of the law, while they plot the destruction of our democratic form of government."

We urge that careful consideration be given to Congressional legislation or judicial construction which will:

- (1) Restore to Congressional committees the right to determine whether the questions asked of pro-Communist witnesses are "pertinent".
- (2) Restore to Congressional committees the same freedom to investigate Communists and pro-Communists that these committees have always had to investigate businessmen and labor leaders.
- (3) Restore to the States the right to enforce their own anti-subversive laws.
- (4) Restore to the Smith Act the provision which makes it a crime to teach or advocate the violent overthrow of the government.
- (5) Restore to the Smith Act the meaning of "organize" which includes organizational work done after 1945, so that Communist organizers cannot hide behind the statute of limitations.
- (6) Restore to the Executive Branch the right to determine and to dismiss security risks in both sensitive and non-sensitive positions of the Government.
- (7) Restore to the States the right to set standards high enough to exclude from public employment and education those who refuse to testify about their Communist activities and associates.
- (8) Restore to the Executive Branch the right to question aliens awaiting deportation about subversive associates and contacts, and the right to deport aliens who are Communists at any time after entering the United States.
- (9) Restore to the Executive Branch the right to deny passports to those who refuse to sign a non-Communist affidavit.
- (10) Restore to the States the right to exclude from the practice of law those who have been members of the Communist conspiracy or who refuse to testify about Communist activities.

⁴⁵ Hearings on the Department of Justice, p. 174.

⁴⁶ *Idem.*

Although eight years have elapsed since the passage of the Internal Security Act, the Communists have succeeded in preventing its enforcement and in blocking a final judicial determination of its constitutionality. The April 20, 1953, order of the Subversive Activities Control Board, issued after exhaustive hearings and backed by scholarly documentation, that the Communist Party, USA, must comply with said Act still awaits enforcement. We re-assert the views stated in the brief we filed in the U. S. Supreme Court in support of this important legislation. If any part of this Act violates the Constitution, the courts should so hold and Congress should pass new legislation or amend the old Act to conform to constitutional requirements. If it is constitutional, the Communist Party and members should not have immunity from its security provisions during many years of protracted litigation.⁴⁷

2. Reevaluate the policy of recognition of Soviet Russia and its satellites. How diplomatic recognition can be used as a weapon in the cold war was well stated by House Majority Leader John W. McCormack on July 13, 1958, when he called for "a severance of diplomatic relations with Russia." Four American presidents refused to recognize the Communist Government of Russia, and it remained weak and ineffective so long as it was unrecognized. Communism began to spread through the world as soon as the United States extended diplomatic recognition in 1933, because, in violation of all international morality and even of the executive agreement by which recognition was extended, Soviet Russia uses her embassies and consulates as centers of espionage, subversion and propaganda.

In describing the recent case involving the Communist spy, Rudolf Ivanovich Abel, J. Edgar Hoover testified:

"I mention this case particularly, Mr. Chairman, because there are some people who think that the matter of Soviet espionage is a thing of the past and no longer exists in view of the theme of peaceful coexistence the Soviets continue to expound. Many of the incidents in the Abel case case occurred in 1957."⁴⁸

We must all realize that Communist governments use blackmail, counterfeiting, forgery, kidnapping, lying, mass murder, slavery, subversion, theft and treaty-breaking as part of their official state policy. It is a matter of historical record that the Kremlin blackmailed the Allies into concessions during World War II by threatening to sign a separate peace with Hitler; that Communist governments have counterfeited American money and forged American passports; kidnapped American citizens and held them for ransom; kidnapped 28,000 Greek children in the crudest mass abduction in modern history; murdered 11,000 Polish officers at Katyn Forest,⁴⁹ 6,112 American soldiers whom they captured in Korea,⁵⁰ and thousands of boys and girls in Hungary; forced millions of Polish, Latvian, Lithuanian, Estonian, Czech, Hungarian and Ukrainian citizens to work as slave laborers in Siberia; stole 600 tons of gold bars worth \$700,000,000 from the Government of Spain in 1936; destroyed by subversion the postwar republics of Bulgaria, Czechoslovakia, Hungary and Poland; and violated 50 of their last 52 treaties.

Nothing would slow down the progress of the Communist line more definitely than if the United States were to recognize the necessity of treating Soviet Russia as an outlaw and putting its Red agents in the

⁴⁷ Subversive Activities Control Board, Report, Senate Document 41, 83rd Congress, 1st Session, April 23, 1953.

⁴⁸ Hearings on the Department of Justice, op cit., p. 178.

⁴⁹ U.S. House Katyn Forest Committee, Final Report, December 22, 1952.

⁵⁰ U.S. Senate Committee on Government Operations, Permanent Subcommittee on Investigations, Korean War Atrocities, January 11, 1954.

⁵¹ National Republic, February, 1958, p. 3.

same category. It would dry up the channels by which Soviet Russia spreads its propaganda, directs its espionage, and enforces its discipline on our citizens.

We invite serious attention to the speech of Richard L. Roudebush, Commander-in-chief of the Veterans of Foreign Wars, to the National Encampment of the VFW on August 30, 1957, in which he called on our Government to sever diplomatic relations with the Soviet Union.⁵² Twenty-two state conventions of the American Legion have also endorsed withdrawal of recognition from Soviet Russia.

It has been claimed that our embassies in Communist countries have value as listening posts. Evidence is abundant that our embassies provide listening posts only for the Communists, and not for Americans. American diplomats discovered a microphone had been hidden for years only a few feet from where our Ambassador to Moscow Joseph E. Davies dictated his top-secret reports to Washington. In the American legation in Communist Hungary, a microphone was discovered in the fireplace of the room where Cardinal Mindszenty resides. The Communists had a wire recorder on the legation roof.

We should, of course, continue to refuse recognition to Red China, and we should continue to press for the return of or a satisfactory accounting for the 450 American prisoners of war still held by Red China in violation of the Korean armistice agreement, as called for by House Resolution 292, unanimously passed by the House of Representatives on July 9, 1957.

3. Be prepared with a Plan of Action. One of the several lessons we learned from the Hungarian Rebellion in October, 1956, was that the West has no plan of action. The Voice of America, Radio Free Europe and promises of "liberation" by responsible American officials had kept alive the hope for freedom. But when the major breakthrough came in Hungary, we had no plan to help the Freedom Fighters. This aid did not need to be military, but it did need to be prompt. The Reverend Daniel A. Poling, editor of the CHRISTIAN HERALD, said in June, 1958:

"There were four days when in the opinion [even] of Tito, recognition by the United States of the Nagy government would have saved the revolution. Nothing more than this was required. Red Russia waited until she knew we would not act -- and then she came."

Similar lost opportunities to administer a fatal or crippling blow to world Communism were the occasions of Stalin's death, and the Poznam and the East German rebellions. Each opportunity was muffed by the West because we had no plan.

Had our leaders understood the Communist dialectic, they would have known that we could have intervened to aid the Hungarian Freedom Fighters without running any risk of war with Russia. It would have been un-Marxian and anti-dialectical for Soviet Russia to have fought the United States over the issue of freedom for Hungary. On the other hand, it was a dialectical advance for Soviet Russia to fight little Hungary, because while going backward in world opinion over Hungary itself, it went forward in proving that the West will not heed anti-Communist pleas for help, and that Communist nations aid each other, but anti-Communists must fight alone.

4. Study Communism. In 1937, Pope Pius XI asked a searching question about Communism:

"How is it possible that such a system, long since rejected scientifically and now proved erroneous by experience, how is it, we ask, that such a system could spread so rapidly in all parts of the world?"

He answered his own questions in these words:

"The explanation lies in the fact that too few have been able to grasp the nature of Communism."

⁵² VFW, Guardpost for Freedom, October 1, 1957.

Twenty-one years later, an additional 750,000,000 human beings have been swept behind the iron curtain. But it is unfortunately still true that all too few people understand what Communism is. Last year, our Committee reported:

"The greatest asset the Communists have at the present time is not the hydrogen bomb, certainly not Soviet satellites, but world ignorance of their tactics, strategy and objectives."

When our enemy was Nazi Germany, our Government and military leaders studied every detail of the enemy and his strategy. One of the great generals of the European campaign was George S. Patton. Early in World War II, when the Germans were advancing, General Patton was asked one day if he wasn't discouraged. His answer was precise:

"I have studied the German for 40 years. I have read the memoirs of his great men. I have studied every detail of all his military campaigns. I have attended some of his staff courses. I know exactly how he will react under any given set of circumstances. He does not know what I will do. For this reason, when the time comes, I shall beat the hell out of him."

And this, he did.

We can no more save our Republic from Communism merely by saying we are against Communism, than parents can save their children from polio by fervently being against polio. To conquer any disease requires intelligent study to isolate the germ and discover the vaccine. As the number-one killer in the world today, Communism is a disease which merits our urgent study.

APPENDIX:RECOMMENDED READING

Books play a vitally important part in the history of government and economics. One need only mention DAS KAPITAL, THE WEALTH OF NATIONS, UNCLE TOM'S CABIN, and THE FEDERALIST PAPERS to be reminded that books have started wars, changed the economy of great nations, and established new governments.

A number of books published during the past year by some of the world's top experts on Communism testify to the overriding importance of the Communist issue, and to the unhappy reality that the United States is losing the battle against international Communism. A study of the following books and reports could halt the rising tide of world Communism.

1. Congressional Committee Hearings and Reports. For 20 years the House Un-American Activities Committee has been patiently investigating the Communist conspiracy. The reports of its hearings, and those of its Senate counterpart, the Internal Security Subcommittee, are an encyclopedia of information on this continuing conspiracy. The abuse which has been heaped upon these committees by the Communists and their fronts is itself an attestation of the value of these reports.

2. Masters of Deceit: The Story of Communism in America and How to Fight It by FBI Director J. Edgar Hoover. (Henry Holt and Co., New York, 1958, \$5.) Mr. Hoover's preeminence as an authority on Communism is unchallenged. This book provides us with a valuable primer on Communism in the United States: its history, strategy, membership and future. He describes the day-to-day operations of the Communist Party, what goes on underground, and how discipline is enforced. He shatters many anti-Communist arguments and shows why this is no time for complacency regarding internal subversion.

3. No Wonder We Are Losing by Judge Robert Morris. (The Bookmailer, New York, 1958, \$2.50) Judge Morris has put into this book his personal record of 17 years' investigation of Communism on behalf of the New York State Legislature, Naval Intelligence, and as Chief Counsel for the Senate Internal Security Subcommittee. Particularly important chapters concern the famous hearings on the Institute of Pacific Relations. G

4. I Was a Slave in Russia by John H. Noble (In-Adair Co., New York, 1958, \$3.00.) The author, an American citizen, was captured by the Russians just after VE Day in 1945 and held prisoner for 9 years. In this book, he tells of his shocking experiences as a slave laborer in Siberia; of other Americans who are still there; and of the millions of political prisoners and how they are treated. This book is especially useful for those who believe in summit conferences and cultural exchanges with the Communists.

5. Communist Psychological Warfare: Consultation with Edward Hunter, by the United States House Un-American Activities Committee. (U.S. Government Printing Office, March 13, 1958.) In 25 pages of testimony under questioning by Staff Director Richard Arens, Edward Hunter gives a brilliant analysis of current Communist strategy and how it follows here the pattern so successful in Asia. A distinguished journalist, author and expert on Communism in the Far East, Mr. Hunter is the originator of the term "brainwashing". In this report, he warns that "Communist psychological warfare is now winning such extensive victories in the United States that the Red bloc will not need to employ direct military force against us in order to win the total war which they are waging."

6. International Communism: Consultation with Dr. Fred C. Schwarz by the United States House Un-American Activities Committee. (U.S. Government Printing Office, May 29, 1957.) Dr. Schwarz is an Australian psychiatrist who is one of the world's top authorities on Communism, particularly on the Communist mind. In this testimony, Dr. Schwarz gives his expert diagnosis, prognosis and recommended treatment for the disease of Communism. He shows how the first step in the Communist conquest of every country is the ideological conquest of the student mind.

7. A Guide to Anti-Communist Action by Dr. Anthony T. Bouscaren. (Henry Regnery Co., Chicago, 1958, \$4.00.) Dr. Bouscaren is the author of a number of authoritative works in the field of international Communist operations. He is a professor of Political Science at Marquette University, Milwaukee, Wisconsin, and is currently teaching at the National War College in Washington, D.C. This book provides specific answers to the question of how individual Americans can combat Communism with knowledge and facts.

ARTICLE XII OF THE AMERICAN BAR ASSOCIATION BY-LAWS

Section 2. No report, recommendation or other action of any Section or Committee thereon, or of any Committee of the Association, shall be considered as the action of the Association unless and until it shall have been approved or authorized by the House of Delegates or by the Board of Governors. Any printed material containing any report, recommendation or proposal circulated by any Section or Committee thereon or by any Committee of the Association shall have clearly indicated thereon that the same does not represent the view or action of the Association, unless the House of Delegates or the Board of Governors shall have taken approving action with respect thereto.

REC-6 94-1-369-1091

August 21, 1958

EX-139

A M S D

Mr. J. F. Schlafly, Jr.
First National Bank Building
Alton, Illinois

Dear Mr. Schlafly:

Thank you for your letter of August 15, 1958, enclosing a copy of the 1958 Annual Report of the Committee on Communist Tactics, Strategy and Objectives of the American Bar Association.

I feel this report presents an excellent summary of the communist menace in the United States today. Communist tactics, as the report indicates, are based on chicanery and deceit. I am sure this report will do much to alert our citizenry to the evils of this atheistic enemy!

Your comments concerning my book, "Masters of Deceit," are most generous. It was good to learn that the book was of help to your Committee in preparing the report.

SENT TO THE
DIRECTOR
FOR SIGNATURE
AND MAILING

Sincerely yours,

NOTE: Schlafly is not identifiable in Bufiles. Title of Committee taken from title page of the report. See Jones to Nease Memo dated 8/21/58 captioned, "J. F. Schlafly, Jr., American Bar Association." FCS:abs (3) Spelling of Schlafly, as letter is signed, is being used, though letterhead shows Schafly, Martindale-Hubbell Law Directory (1958) and Alton, Illinois, telephone directory, show spelling of Schlafly.

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy
W. D. Smith

FCS:abs

53 SEP 25 1958

MAIL ROOM

Baumgardner

Keller
Kleberg
Thibault

AUG 21 - 5 19 PM '58
REC'D-READING ROOM

B

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nease

DATE: August 21, 1958

FROM : M. A. Jones

SUBJECT: J. F. SCHLAFLY, JR.
AMERICAN BAR ASSOCIATION

Gibson _____
 Boardman _____
 Belmont _____
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 Nease _____
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By letter dated August 15, 1958, the above-captioned individual ~~W. J. Sullivan~~ furnished the Director a copy of the 1958 Annual Report of the Committee on ~~Communist Tactics, Strategy and Objectives of the American Bar Association.~~ ~~He indicated that he was responsible for the inclusion of a number of quotations from the Director and reference to "Masters of Deceit" and invited any comments and criticisms of the report. Schlafly added that the report would be presented by the Special Committee's Chairman, Peter Campbell Brown, at the Los Angeles meeting of the American Bar Association.~~

COMMENTS CONCERNING THE FBI AND THE DIRECTOR:

The report contains a number of references to Mr. Hoover and the FBI, quotations taken from "Masters of Deceit" and some other writings and speeches by the Director. In fact, the report relies heavily upon the FBI for source material and guidance. The Bureau and the Director are presented in a most favorable light.

BRIEF SUMMARY OF ANNUAL REPORT:

The theme of the report is that communism is a danger to the Nation today and that Americans should be alert to this fact. The report is divided into a number of subdivisions as follows:

I. COURT DECISIONS ON COMMUNISM

After a brief introduction the report briefly discusses 20 court decisions on communism including among others the Steve Nelson, and Watkins decisions. It then pointed out that the Special Committee had applied and obtained permission to appear as *amicus curiae* in the appeal pending in the Supreme Court of Florida from the order of dismissal of the disciplinary proceedings against Leo Sheiner, who had twice previously been ordered disbarred by the Circuit Court of

b6
b7cEnclosure ~~8-22-58~~ 8-22-58

1 - Mr. J. P. Mohr

FCS:abs. b7c
(3)

SENT DIRECTOR
8-21-58

REC-6 74-1-369-1091

16 AUG 29 1958

CRIME REC

51 JAN 8 1959

Memorandum for Mr. Nease

Florida. It indicated that the committee had prepared a brief stating its views on the duty of the Bar and of the Courts to cleanse its ranks of an unfit member, adding that it was "inconceivable to us that an attorney and officer of the Court may continue in good standing while he pleads self-incrimination in refusing to answer questions relating to subversive activities."

II. COMMUNIST TACTICS

In this section the report quotes from communist sources to show that the Communist Party is imbued with deceit and is determined to use every means, fair and foul, to advance its own aims. It describes communist tactics as "one step forward, two steps backward" ^{COMMUNIST} in its endeavoring to discredit free government. The report lists the following major tactics at the present time:

1. Nullification of the Smith Act and other anti-Communist legislation.

The Director's testimony is quoted to the effect that 49 of the 108 top communists convicted under the Smith Act have been set free by Supreme Court decisions.

2. Muzzling the FBI and Congressional investigations.

3. Elimination of Federal and state security programs.

4. The Peace Offensive in which the communists use slogans such as "peaceful coexistence" to weaken the "victims" ^{of} the free world.

5. Summit Conferences.

Here the report indicates that communists have a most deplorable record for violating solemn treaties.

6. Cultural exchanges whereby American tourists are "hoodwinked" when they visit Russia while Russians have free access to our land.

7. Recognition of Red China.

8. Halt nuclear tests.

9. East-West Trade.

10. Propaganda.

Here the report indicates that communists are spending three billion dollars a year on propaganda which reaches every city and hamlet in our Nation.

11. Humiliation such as the demonstrations against Vice President Nixon in South America and in front of the American Embassy in Moscow.

III. HINDSIGHT OR FORESIGHT?

This section gives quotes from prominent individuals whereby the deceit and terror of communism have been expounded to the American people. These individuals, with their knowledge of communist tactics, were able to foresee communist chicanery.

IV. CURRENT FALLACIES ABOUT COMMUNISM

1. Communism in the United States is dwindling in power because the party is dwindling in numbers.

2. The Communist Party is just another political party.

3. Poverty breeds Communism.

4. The only alternative to peaceful coexistence is World War III with nuclear destruction of our cities.

The report attempts to dispel these fallacies for its readers.

V. SAFEGUARDING OUR REPUBLIC

Under this heading the report lists a number of steps which should be taken to protect our freedom.

1. Remedial Legislation.

Here the Director is quoted as asserting that crime and subversion have become critical challenges because of loopholes, technicalities and delays in the law. Under this heading the report recommends a number of steps such as restoring to the Congressional committees the right to determine whether the questions asked of pro-Communist witnesses are "pertinent"; restore to the States the right to enforce their own anti-subversive laws; restore to the Executive Branch the right to deny passports to those who refuse to sign a non-Communist affidavit.

2. Reevaluate the policy of recognition of Soviet Russia and its satellites.

"Nothing would slow down the progress of the Communist line more definitely than if the United States were to recognize the necessity of treating Soviet Russia as an outlaw and putting its Red agents in the same category."

3. Be prepared with a Plan of Action.

The report asserts that if our leaders had understood the Communist dialectic, they would have known that we could have intervened to aid the Hungarian Freedom Fighters without risk of war with Russia.

Memorandum for Mr. Nease

14. STUDY COMMUNISM

In an appendix on recommended reading the Director's book is mentioned. The following comments are made: "Mr. Hoover's preeminence as an authority on Communism is unchallenged. This book provides us with a valuable primer on Communism in the United States: its history, strategy, membership and future. He describes the day-to-day operations of the Communist Party, what goes on underground, and how discipline is enforced. He shatters many anti-anti-Communist arguments and shows why this is no time for complacency regarding internal subversion."

RECOMMENDATION:

That the attached letter be sent to Mr. Schlafly, Jr.

Nease 8/21 Q M

REC-43

August 29, 1958

94-7-369-1092

Mr. Howard Russ
Vice President
California Bank
625 South Spring Street
Los Angeles 14, California

Dear Mr. Russ:

Thank you very much for your telegram concerning my speech before the Judicial Administration Section of the American Bar Association. I certainly appreciate your communicating with me in this regard, and I am greatly encouraged by your favorable comments about the FBI and my administration of its activities.

It was a real pleasure to meet you at Emmett McGaughey's party. I hope that you enjoyed the occasion as much as I did.

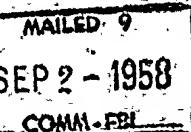
Sincerely yours,

J. Edgar Hoover

REC'D-READING ROOM
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Aug 29 11 46 AM '58

RE: Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
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Holloman _____
Gandy _____
J. C. Sullivan _____

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MAIL ROOM

WESTERN UNION
TELEGRAM

WESTERN UNION
TELEGRAM

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J. EDGAR HOOVER, CARE AMBASSADOR HOTEL
3400 WILSHIRE BLVD LOSA (DY) GSW 31

1958 AUG 26 PM 1

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ALL WHO HEARD YOUR MESSAGE YESTERDAY, AS WELL AS ALL
WHO MAY READ IT, WILL BE FURTHER INDEBTED TO YOU FOR
THE CONTINUED OUTSTANDING SERVICE RECEIVED FROM YOUR
DEPARTMENT UNDER YOUR MASTERFUL DIRECTION. SINCERELY
HOWARD RUSS CALIFORNIA BANK

Vice President

American Bar Association REC-43 94-1-369-1092

20 SEP 4 1958

EX 105

1 auto copy
9-9-58

CRIME RACE

PERS. FILE

REC-80 94-1-369-1095

August 29, 1958

EX-135

Vice President
Frozen Foods Division
Carnation Company
5045 Wilshire Boulevard
Los Angeles, California

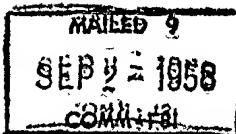
Dear [redacted]

I want to thank you very much for your telegram concerning my talk before the Judicial Administration Section of the American Bar Association. Your favorable comments are most encouraging.

It certainly was a real pleasure to see you at the Biltmore Bowl meeting and at Emmett McGaughy's party. I hope that you had as enjoyable a time as I did.

Sincerely yours,

J. Edgar Hoover



NOTE: Files reflect limited cordial relations with [redacted] in 1956, he was in contact with Mr. Nichols, endeavoring to have the Bureau undertake a television program sponsored by Carnation.

MLL:bju

(3)

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WESTERN UNION
TELEGRAM

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WUX CR LOS ANGELES CALIF 26 123PMPD

JOHN EDGAR HOOVER

CARE FEDERAL BUREAU OF INVESTIGATION 1340 WEST 6 ST
LOSA

PLEASE ACCEPT MY SINCERE APPRECIATION FOR YOUR CHALLENGING
ADDRESS YESTERDAY BEFORE THE AMERICAN BAR ASSOCIATION. IT
DEFINED IN A MOST DRAMATIC WAY THE FORCES WHICH THREATEN
OUR NATIONAL SECURITY AND THE CONCERTED ACTION NECESSARY TO
PROTECT THAT SECURITY. CORDIALLY

VICE PRESIDENT CARNATION COMPANY.

(26).

(1236 PMP AUG26 58)

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REC-80

94-1-369-1095
120 SEP 4 1958

EX-135
CRIM REC

59 SEP 8 1958

3
REC-81 94-1-369-1096
August 29, 1958

RECEIVED
[redacted]
United Public Relations, Inc.
120 East 56th Street
New York 22, New York

b6
b7C

Dear [redacted]

[redacted] Your letter dated August 27, 1958, has been received, and I am happy to send you a copy of my recent address before the Judicial Administration Section of the American Bar Association in Los Angeles.

In view of your interest in crime in the United States, I am also enclosing a copy of the current Uniform Crime Reports bulletin which I thought you might like to see.

Sincerely yours,

Edgar Hoover

AUG 29 3 22 PM '58
REC'D-READING ROOM
F B I

MAILED 8

AUG 29 1958

COMM-FBI

Enclosures (2)

"The Law and the Layman" August 25, 1958
Uniform Crime Reports Annual 1957
NOTE: Correspondent not identifiable in Bufiles.

RE
Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clegg
T. G. Brown
Holloman
Gandy
W. C. Sullivan

JK:pw (3)EBL DE 1023
FBI
MAIL ROOM

6-6-SEP 9 1958
elv fbd
MAIL ROOM

UNITED PUBLIC RELATIONS, INC.

120 EAST 56TH STREET, NEW YORK 22, N. Y. • PLAZA 1-3950

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Neal
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

August 27, 1958

Mr. J. Edgar Hoover
Department of Justice
Constitution Avenue, N. W.
Washington, D. C.

Dear Mr. Hoover:

It would be appreciated if I might have a copy of your address before The American Bar Association, Los Angeles as reported in the August 25th newspaper dispatches.

This address indicated that "a shocking ransom to the underworld" amounting to \$128 a year for every man, woman and child is the price of crime in the United States every year.

Thank you for your kind courtesy in this matter.

Sincerely yours,

JLS:jo

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EXP PROG
AUG 28 1958

REG-81

EX-128

94-1-369-1096

9-2
20 AUG 28 1958

REC'D 11/30/58

REC'D 11/29/58
AUG 28 1958
JK

CRIME REC.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nease

DATE: August 14, 1958

FROM : M. A. Jones

by SUBJECT: DIRECTOR'S SPEECH AT
 AMERICAN BAR ASSOCIATION
 AUGUST 25, 1958

Nelson _____
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 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Clayton _____
 Tele. Room _____
 Holloman _____
 Gandy _____
 W. C. Sullivan _____
J. M.

In the event copies of the Director's speech are prepared in mimeographed form in advance I desire to make the following recommendations:

(1) That copies of speech be mailed on the day of its delivery to everyone on the Special Correspondents' List.

(2) That six copies be sent to each field office without cover letter on the day prior to the date of delivery.

(3) That advance copies be sent to a select list of good Bureau contacts in the newspaper, radio and television fields in ample time so that they will have the speech in hand at the time of its delivery. A suggested list of such contacts is attached.

Enclosure

MAJ:mcq
(3)

*✓ Kegge
8/14*

*to see
JW*

*OK
H*

E

ENCLOSURE
REC-61

*Provided
there is no
duplication*

REC-61

94-1-369-1097
12 SEP 3 1958

CRIMINAL REC.

SENT DIRECTOR
8-14-58

*✓ 13
67 SEP 12 1958*

all went as planned
8/21/58

Richard E. Berlin

[redacted] (former Agent and now Publisher of The
Tuscaloosa News)

✓ Paul Harvey

✓ Ray Henle

[redacted] (connected with Industrial News Review which serves
hundreds of small papers - very good friend of Bureau) ^{A.M.}

✓ Roy W. Howard

[redacted] (North American Newspaper Alliance)

[redacted] (Newspaper Enterprise Association)

✓ David Lawrence

✓ Fulton Lewis, Jr.

✓ William I. Nichols / deleted per Mr. Tolson

[redacted] (San Diego Union) (A.M.)

✓ Victor Riesel

✓ George E. Sokolsky

✓ Walter Winchell (P.M.)

[redacted]

(A.M.P) at 7 a.m. with
P.M.) at Zaffella
(P.M.) at Zaffella
(A.M. to Dallas) - per memo of 6/23/58

b6
b7C

ENCLOSURE

94-1-369-1097

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: August 28, 1958

FROM : G. A. NEASE

SUBJECT: ~~ADDRESS BY DIRECTOR~~
~~AMERICAN BAR ASSOCIATION~~
~~JUDICIAL ADMINISTRATION SECTION~~
~~AUGUST 25, 1958~~
~~LOS ANGELES, CALIFORNIA~~

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W. F. S. _____
 Tele-Room _____
 Holloman _____
 Gandy _____

I thought you and the Director would be interested in knowing of the coverage given the Director's speech before the American Bar Association, Judicial Administration Section, August 25, 1958, Los Angeles, California. There follows a rundown to date of the various sources that have carried the speech either in its entirety, quotes from the speech, or parts of the speech:

(1) Ray Henle - "3-Star Extra," Radio Station WRC, 6:45 PM, 8-25-58.

(2) Dave Lawrence's column, "The Evening Star," 8-26-58.

(3) "New York Herald Tribune," 8-26-58.

(4) "New York Daily News," 8-26-58.

(5) The "Washington Evening Star," 8-26-58.

(6) The "New York Journal American," 8-26-58.

(7) [redacted] requested extra copies for the "Chicago Tribune."

(8) Luther Huston's office requested 25 extra copies in view of the requests received for copies.

(9) Victor Riesel called 8-27-58. He called to express appreciation for the guest column which the Director prepared for him while he was on vacation. I mentioned the Director's speech to him. He ~~then~~ stated he plans to make reference to it in his column and would particularly find it useful in connection with his lectures.

1 - Mr. Jones

GAN:ejp:ear
(3)SENT DIRECTOR
8-28-58
OCT 12 1958REC-61
13

12 SEP 3 1958

94-1-369-1088
CRIM REC

Memorandum Nease to Tolson:

8-27-58

(10) [redacted] of the "New York News" requested extra copies.

b6
b7C

(11) Matthew Warren of Channel 5, WTTG, Washington, D. C.,
6:15 PM, 8-25-58.

(12) The wire services, of course, "moved" the speech in Los Angeles.
The United Press International ticker gave good coverage to the speech.

(13) Paul Harvey will cover the speech in his 9-4-58 column.

(14) Congressman Joe Holt (R-California) is sending a letter to constituents
which will cover the speech.

(15) The Chance-Vought Aircraft Corporation has requested copies of the
speech to disseminate to its personnel.

(16) [redacted] National Americanism Commission, the American
Legion, has requested that we send 20 copies to Chicago where the National
Americanism Commission, in convention session, will specifically read
and discuss the speech.

(17) [redacted] Executive Secretary, International Association of Chiefs
of Police, called 8-26-58 and requested permission to run the speech in its
entirety in the October issue of "The Police Chief."

(18) The speech was, of course, sent to all individuals on the Special
Correspondents' List.

(19) [redacted] indicated he hoped to editorialize.

(20) The Americans for Democratic Action requested a copy of the speech.
(This, of course, is not considered coverage but does indicate the speech
excited their interest.)

You will be kept advised of further coverage of the speech.

ACTION:

For information.

X ✓ *Kerry C*
8/28 - 2 -

TM

REC-68

July 15, 1958

EX-138

94-1-369-1099

Director of Public Relations
American Bar Association
1155 East 60th Street
Chicago 37, Illinois

b6
b7C

Dear [redacted]

Your letter of July 8, 1958, with enclosures, has been received, and I appreciate your advising me of the desire for twenty-five advance copies of my speech for distribution to members of the press.

I realize your problems concerning newspaper coverage of the convention, and I will make every effort to complete my manuscript and furnish you copies prior to the actual delivery of the address.

Sincerely yours,

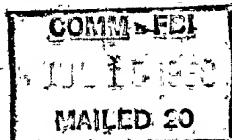
J. Edgar Hoover

JUL 15 1958
REC'D-READING ROOM
FBI

DWB: mrm: sak: jmr

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy
V. C. Sullivan

59 SEP 10 1958



MAIL ROOM

HEADING INSTRUCTIONS

Please follow this specimen form of heading at the top of Page 1 of your manuscript:

For Release at time of delivery, TUESDAY, AUG. 26, 1958

Address of Mr. John A. Doe, Kansas City, Mo.,
President, ABC Manufacturing Co., (or professional title)

Before the Section of Corporation, Banking
and Business Law of the American Bar Association

STATLER HOTEL, GOLD ROOM, 11:00 a.m. TUESDAY, AUG. 26

(Title or subject of talk to go here)

(Note to typist: It is desirable to start the body of the text at about the middle of Page 1. Please double space. If precise delivery hour is not known give day and date and, where known, morning or afternoon scheduled delivery.)

MAILING INSTRUCTIONS

Please mail 25 copies of your manuscript so as to arrive in Los Angeles by Monday, August 18, to this address:

[redacted] American Bar Association
Press Room, the Wilshire Room
The Hotel Statler
Los Angeles 17, California

b6
b7C

ENCLOSURE

94-1-369-1099

THIS SIDE OF CARD IS FOR ADDRESS



Public Relations Office
American Bar Association
American Bar Center
1155 East 60th Street
Chicago 37, Illinois

ENCLOSURE

94-1-369-1099

DECODED COPY

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Clayton _____
 Tele. Room _____
 Holloman _____
 Gandy _____

gj
 Radio

Teletype

~~DEFERRED 8-14-58~~

~~TO DIRECTOR~~

FROM SAC, LOS ANGELES 142110

9 14
*9/14 to m.a.t.
 give out a.m.i.t.b.y
 amri -*

RE DIRECTOR'S TALK BEFORE LAW AND THE LAYMAN PANEL, ABA, LOS ANGELES, AUGUST 25, 1958. EXECUTIVE SECRETARY TO LOS ANGELES COUNTY D.A. ROOM 600,

HALL OF JUSTICE BUILDING, LOS ANGELES, TELEPHONE MADISON 8-2141, EXTENSION 3891, TELEPHONED TODAY. HE STATED U.S. SUPREME COURT JUSTICE TOM C. CLARK IS CHAIRMAN AND D.A. IS CO-CHAIRMAN OF THE JUDICIAL ADMINISTRATION SECTION OF THE ABA, WHICH COVERS THE PANEL ON LAW AND THE LAYMAN. HAS BEEN DESIGNATED BY CLARK AND TO HANDLE THE PUBLICITY. WOULD LIKE

AS QUICKLY AS POSSIBLE THE TITLE OF THE DIRECTOR'S TALK OR WHATEVER INFORMATION IS AVAILABLE FOR ADVANCE PUBLICITY. NOT LATER THAN FRIDAY, AUGUST 22, 1958, WOULD ALSO LIKE A COPY OF THE TEXT OR SOME EXCERPTS FOR PURPOSE OF COVERING THE PRESS ON AUGUST 25, 1958. HE NEEDS 20 COPIES FOR NEWSPAPERS, RADIO AND TV, BUT IF BUREAU DESIRES TO FURNISH ONLY ONE, HE WILL HAVE COPIES PREPARED LOCALLY. PLEASE ADVISE.

✓
 RECEIVED:

EX-124 REC-4574-1-369-1100
 9:24 PM RADIO

9:36 PM CODING UNIT RJT 5 1958

CORRECTED: 8-15-58 2:49 PM CODING UNIT

Mr. Nease

cc - Nease

58-3777-106
 58-3777-106

Teletype to *See*
 8-16-58, memo
 Nease to Tolson
 8-16-58 CDD/jm

CRIMINAL REC.

g
MR. NEASE ✓
August 15, 1958

Mr. Tolson	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Nease	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. Clayton	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

[Signature]

Re: DIRECTOR'S SPEECH
AUGUST 25, 1958
JUDICIAL ADMINISTRATION SECTION
AMERICAN BAR ASSOCIATION (ABA)
LOS ANGELES, CALIFORNIA

P 1-1

We have thus far received two requests for advance copies of the Director's speech:

(1) By letter 7-8-58 [redacted] Director of Public Relations, ABA, advised the Director he desired 25 copies delivered to the Press Room, the Wilshire Room, The Hotel Statler, in care of [redacted] Los Angeles, California. [redacted] requested these be delivered by August 18, 1958. The Director, by letter dated 7-15-58, told [redacted] he would make every effort to complete his manuscript and furnish copies prior to the actual delivery of the address.

(2) [redacted] Executive Secretary to Los Angeles County District Attorney [redacted] told Los Angeles Office 8-14-58 that [redacted] was cochairman, along with Justice Tom C. Clark, of Judicial Administration Section of ABA which covers the panel on "Law and the Layman. [redacted] has been designated by Justice Clark and [redacted] to handle the publicity. [redacted] desires immediately the title of the Director's talk or whatever information is available for advance publicity. [redacted] desires by Friday, August 22, 1958, a copy of the text or some excerpts for purpose of covering the press on August 25, 1958. He also desires 20 copies of the Director's speech for newspapers, radio, and TV, but if Bureau desires to furnish only one he will have copies prepared locally.

b6
b7c

RECOMMENDATIONS:

(1) That copies of the Director's speech be delivered to [redacted] at the above-mentioned address prior to the delivery of the Director's talk (we suggest sending 500 copies to Mr. Tolson and he can instruct the Los Angeles Office to make delivery). 44-1-369-1101

REC-45

124
tele 8-16-58
memo Nease to Tolson
8-16-58 CWD/b
CRIME (over)

SENT DIRECTOR
8-16-58
5 7 SEP 12 1958
1-Mr. Jones
CDD:jmr
(3) *[Signature]*

(2) That you recommend to Mr. Tolson that we be allowed to instruct the Los Angeles Office to advise [redacted] that the title of the Director's speech is "Law and the Layman." Los Angeles should also be instructed to tell [redacted] that he will be given advance copies of the Director's speech prior to the address as soon as available.

b6
b7C

Respectfully,


C. D. DeLoach

G.W. EX-18

REC-45 94-1-369-1102

September 2, 1958

Mr. Robert W. Lewis
433 South Spring Street
Los Angeles 13, California.

1903

Dear Mr. Lewis:

Your letter of August 27, 1958, has been received, and I must say it is most encouraging.

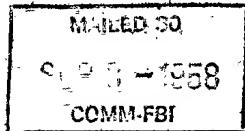
I certainly appreciate your kind comments about my speech and your expression of support for my actions as a public servant. I hope your trust always will be merited. In line with your request, I am happy to enclose a copy of my address, "The Law and the Layman."

Thank you very much for your good wishes.

Sincerely yours,

J. Edgar Hoover

SEP 2 4 54 PM '58
REC'D-READING ROOM
FBI



Enclosure

DEBL 08/22

NOTE: Lewis is not identifiable in Bufiles.

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____
W. C. Sullivan

DWB:cjc
(3)

MAIL ROOM

50 SEP 12 1958

ROBERT W. LEWIS
433 SOUTH SPRING STREET
LOS ANGELES 13, CALIFORNIA

27 Aug. 1958

My dear Mr. Hoover: American Bar Association
Following your talk at the Monday luncheon
of the A.B.A. Section on Judicial Administration, I
tried to get a copy of your address. In this effort I was unsuccessful.

It seems to me that never could there
be a better record of what you stand for
than that talk, and there is very real reason
why I hope I may yet get a copy of it.
If there is an extra copy of it in your office
which could be sent, I should be deeply grateful
to you if you could think it possible.

For years you and your magnificent
record have found me, at 55 years, as
much a hero worshiper as once I was at
15 in regard to Theodore Roosevelt. So
of all the events at this meeting hearing
you was, to me, ^{W.H.} most important.

I would like to think that you would
take this expression of gratitude for your
example and work as speaking for millions
who admire you as do I and pray
that they may, in some way, however trifling,
support you by their own courage and
loyalty in conviction and action.

My deepest wishes and regard are for you
not sincerely yours,
Robert W. Lewis

Nov. 9/158
J.W.B.
F. Edgar Hoover, Esq.

16 SEP 5 1958

27 Aug. 1958

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

[Handwritten signature over the list]

My dear Mr. Hoover:

Following your talk at the Monday luncheon of the ABA Section on Judicial Administration I tried to get a copy of your address. In this effort I was unsuccessful.

It seems to me that never could there be a better record of what you stand for than that talk, and there is very real reason why I hope I may yet get a copy of it. If there is an extra copy of it in your office which could be sent, I should be deeply grateful to you if you could think it possible.

For years you and your magnificent record have found me, at 55 years, as much a hero worshiper as once I was at 15 in regard to Theodore Roosevelt. So of all the events at this meeting hearing you was to me most important.

I would like to think that you would take this expression of gratitude for your example and work as speaking for millions who admire you as do I and pray that they may in some way, however trifling, support you by their own courage and loyalty in conviction and action.

My deepest wishes and regard are here.

Most sincerely yours,

/s/ Robert W. Lewis

J. Edgar Hoover, Esq.

COPY:hbb

*mail add: 9/2/58
JWB*

~~RCB~~
AUG 28 1958

RRM

September 3, 1958

EX-124
REC-45

94-1-369-1103

Jacksonville 7, Florida

Dear Brother [redacted]

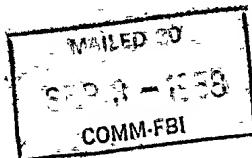
Your kind letter of August 27, 1958, has been received, and your comments are most encouraging. I am happy that you approve of my speech, and in line with your request, I am glad to enclose a copy for you.

It is good to know that I have your support, and I hope it always will be merited. The words you quoted from the Supreme Council of Scottish Rite Freemasonry should be inspirational to all of us.

Fraternally,

J. Edgar Hoover

Enclosure



NOTE: Bufiles contain no record of [redacted]

Wilson
Boardman
Elmont
Johr
Lease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy
W. C. Sullivan

DWB/mh

(3) EBI/024/3

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60 SEP 15 1958

MAIL ROOM

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REC'D-READING ROOM
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DWB

Op

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Neasey
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Helloman
Miss Gandy

Augus t. 27, 1958

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington 25, D. C.

efp

Dear Sir:

It was my good fortune today to read your address to the Judicial Administration Section of the American Bar Association, in Los Angeles, on August 25, 1958.

I would like to take this opportunity to congratulate you on this wonderfully inspiring speech which, I'm sure, awakened the memories of each person within hearing distance of your voice, every word of the obligation he took upon assuming his office of public trust.

As a Master Mason and civil servant, I join you in your effort of "The inculcation of patriotism, respect for law and order and undying loyalty to the principals of Civil and Religious Liberty as set forth in the Constitution of the United States," if I may borrow these words from the Supreme Council of Scottish Rite Freemasonry. EX-124 REC-45 94-369-1103

I would appreciate it if I could receive a copy of this address.

Fraternally yours,

Jacksonville, Florida

b6
b7C

mmis
ack 9-3-58
DNB

dwg/4

FROM

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson _____ *✓ Tolson*Mr. Belmont _____ *✓ Belmont*Mr. Mohr _____ *✓ Mohr*Mr. Nease _____ *✓ Nease*Mr. Parsons _____ *✓ Parsons*Mr. Rosen _____ *✓ Rosen*Mr. Tamm _____ *✓ Tamm*Mr. Trotter _____ *✓ Trotter*Mr. W. C. Sullivan _____ *✓ Sullivan*Mr. Holloman _____ *✓ Holloman*Miss Gandy _____ *✓ Gandy*

See Me _____ ()

Note and Return _____ ()

Prepare Reply _____ ()

For Your Recommendation _____ ()

What are the facts? _____ ()

Remarks:

BEC

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⑥ American Bar Association
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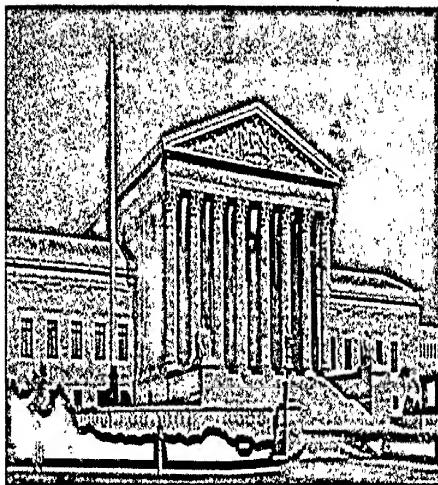
94-1-369-1104
Net Recorded
11 Sep. 5-1958

53 Sep 12 1958

ENCLOSURE

ENCLOSURE

94-1-369-1104



"... It is not knowledge of ways and means that we lack in most instances; it is the will to put them into effect."
Chief Justice Vanderbilt
HELP J. A. S. — HELP THE LAW!

BULLETIN

Section of Judicial Administration American Bar Association

Vol. I, No. 2

July, 1958

J. A. S. SESSION TO HEAR SUPREME COURT JUSTICES, ATTORNEY GENERAL ROGERS AND J. EDGAR HOOVER

Topnotch Program Planned Aug. 23-28

Winding up its twenty-first year as one of the Sections of the A. B. A., the Judicial Administration Section this year will have what promises to be one of the most interesting annual meetings of its history. Between an opening ocean cruise on Saturday and the closing meeting Thursday honoring the Chairmen of the State Committees, there will be an official luncheon and banquet, and programs on a wide variety of legal topics. Here is the line-up:

At 12 noon on Saturday, August 23, the Section will be host on an ocean cruise to the Chief Justices of the States, the Board of Governors of the A. B. A., and members of the Supreme Court of the United States.

Sunday, August 24, at 10 a.m., the Section's Committee on Scope and Program meets in the Dallas Room of the Statler Hotel. Following that meeting, at 2:00 p.m. Sunday will be a meeting of the Section Council, also in the Dallas Room.

The official Section luncheon is slated for 12:00 noon on Monday, August 25, in the Biltmore Bowl of the Biltmore Hotel. Featuring an informal talk by Mr.

JAS Schedule Of Events In Los Angeles

SUNDAY, AUGUST 24

10:00 a.m. Meeting of Committee on Scope & Program, Dallas Room. The Statler Hotel.

2:00 p.m. Meeting of Council of the Section, Dallas Room, Statler.

MONDAY, AUGUST 25

12:00 Noon Annual Luncheon — Sierra Room, Statler.

2:00 p.m. "Tasks of the Trial Judge" Program, Sierra Room, Statler.

2:00 p.m. "Law and the Layman" Program, Biltmore Bowl.

7:30 p.m. Annual Dinner Honoring Chief Justices of the States and Federal and State Judges. Pacific Ballroom, the Hotel Statler.

TUESDAY, AUGUST 26

10:00 a.m. Uniform Jury Instructions in Civil Cases, Sierra Room, Statler.

10:00 a.m. Opening Session of all-day Traffic Court Program, the Biltmore to Bowl.

5:00 p.m.

2:00 p.m. Uniform Rules of Evidence Program, Sierra Room, Statler.

WEDNESDAY, AUGUST 27

Time left open for General Assembly of A.B.A. 10 a.m., the Pacific Ballroom, Statler, and trip to Disneyland in afternoon.

THURSDAY, AUGUST 28

10:00 a.m. Meeting of the Section Honoring State Committees. Sierra Room, Statler.

MAKE RESERVATIONS NOW - SEE PAGE 4

Committee

150 Judges To Meet

Warren, Six Court
Members To Attend

A majority of the Justices of the United States Supreme Court have accepted invitations of the American Bar Association to attend the annual meeting in Los Angeles beginning August 25. While there, the Justices plan to attend several functions of the Judicial Administration Section. Those who have indicated their acceptance include Justices Black, Douglas, Clark, Harlan, Brennan and Whittaker. The Chief Justice has advised that he will be present in the event he is able to return in sufficient time from a trip planned in the mid-East. The absences of Mr. Justice Frankfurter and Mr. Justice Burton are occasioned by the illness of Mrs. Frankfurter and the fact that Justice Burton and his wife will be in Europe.



Invitations have been extended to the Justices to attend all the sessions of

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/3/58

FROM : J. P. Mohr

SUBJECT: AMERICAN BAR ASSOCIATION
CRIMINAL LAW SECTION, MONDAY, AUGUST 25, 1958
"THE PUBLIC DEFENDER"

Tolson
Nichols
Boardman
Belmont
Mohr
Parsons
Rosen
Tamm
Trotter
Nease
Tele. Room
Holloman
Gandy
McG. Sullivan

b6
b7CSYNOPSIS

Opening session of Criminal Law Section of American Bar Association (ABA), Monday, August 25, 1958, at Los Angeles, discussed "The Public Defender." Section Delegate Arthur J. Freund ~~praisefully~~ introduced Associate Justice William J. Brennan, Jr., as moderator. Brennan took neutral position on question discussed. Los Angeles County Public Defender, strongly defended the Public Defender as the defense attorney for indigent criminals. Federal District Judge Edward J. Dimock, Southern District of New York, strongly opposed Public Defenders because, being paid from public purse, they cannot be so zealous in defense as private counsel supported by voluntary legal aid. Colonel James C. Garnett, Office of Judge Advocate General, U. S. Army, described system of defending servicemen by assigned counsel. Background for this session is strong move by National Legal Aid Association, operating in conjunction with The Standing Committee on Legal Aid Work of ABA, for some system of legal defense for indigent criminals. System so espoused would allow Public Defender to have his own investigators and/or make use of investigative reports made by law enforcement agencies. Bill to provide for Public Defenders in Federal courts passed Senate during last session but did not pass the House. Director's comments concerning this legislation set out in details. PAGE 4.

RECOMMENDATION:

That Legislative Unit of the Administrative Division closely follow on Bill introduced into Congress to provide a Public Defender system in the Federal courts.

J. P. Mohr

EX-128

DJD: sms
(5)
Enclosures (4) ENCLOSED
REC-46

EX-128

REC-46

94-1-369-1105

10 SEP 9 1958

1 - Mr. Mohr
1 - Mr. Nease (Attention: Mr. Hoxie)
1 - Mr. Rosen
1 - D. J. Dalbey

53 SEP 17 1958

Memorandum to Mr. Tolson
Re: American Bar Association
Criminal Law Section, Monday, August 25, 1958
"The Public Defender"

DETAILS

The subject for the first session of the Criminal Law Section at 2 p.m. on Monday, August 25, 1958, in Los Angeles, was "The Public Defender." Arthur J. Freund of St. Louis, Missouri, Section Delegate to the House of Delegates of the American Bar Association (ABA) presided, and in doing so, introduced the moderator, Associate Justice William J. Brennan, Jr., with high praise for Justice Brennan's brilliant record as a jurist.

In acting as moderator, Justice Brennan was completely impartial and made no remarks of consequence. He appeared slightly embarrassed, however, when Federal Judge Dimock, mentioned later, quoted from an earlier speech made by Justice Brennan in which the latter appeared to favor the Legal Aid System of defending indigent criminals ~~over what is~~ known as the Public Defender System. Brennan refused to take any stand on this question.

The first panelist to speak was Ellery Cuff, the Public Defender for Los Angeles County. Cuff strongly defended the system under which his office operates, i.e., a system in which the Public Defender and his assistants are public officers paid from tax revenue and employed solely as defense counsel for those persons who are not able to pay for their own defense in criminal actions brought against them. That system was inaugurated in Los Angeles County many years ago and it now operates on a yearly budget of \$500,000 to pay the salaries and other expenses of one Public Defender, 30 deputy defenders, and 7 investigators. Cuff contended that the Public Defender is no less zealous in defending the indigent criminal than a private attorney would be and said the principal criticism of his office from the public, and even from some members of the legal profession, is that the Public Defender is too zealous rather than too careless in defending indigent criminals. He said that the criminals represented by the Public Defender's office enter a larger percentage of guilty pleas than is the case with those represented by private counsel but said this is not inconsistent with a zealous defense on the part of the Public Defender. The high percentage of guilty pleas resulted from the fact that criminals know and trust the Public Defender, because of the reputation of his office, and are more inclined to tell him the whole story of just what happened. Cuff said his office is appointive but he believes that publicly elected Public Defenders, like those in some other California counties, are equally faithful in the interests of the defendant.

Memorandum to Mr. Tolson.

Re: American Bar Association

Criminal Law Section, Monday, August 25, 1958

"The Public Defender"

Federal Judge Edward J. Dimock of the U. S. District Court for the Southern District of New York took a position contrary to that of Cuff. Judge Dimock was highly critical of the tax paid Public Defender System on the broad general ground that a person who owes his employment and his salary to the Government, just as in the case of the prosecuting attorney, could not be so free from governmental influences that he could give his complete loyalty to the defense. Dimock said it is contrary to every known principle and experience of Government to believe that a member of the public can best be defended against possible governmental tyranny by using as his defense counsel a Public Defender paid by that same Government. The mere fact that the Government pays the Public Defender necessarily brings about some degree of governmental control over him. Dimock strongly advocated a Legal Aid System financed by contributions from lawyers in private practice.

At the conclusion of Judge Dimock's remarks, the Judge was strongly attacked by representatives of California Public Defenders offices who were in the audience. The theme of their attacks was resentment at his statements indicating that the tax paid Public Defender is not governed entirely by the best interests of his client. One of the critics officially requested Judge Dimock to retract a statement concerning a crime that a California Public Defender had been involved in many years ago but the Judge refused to retract the statement. He stated that the crime occurred, the Public Defender was one of the criminals involved, and he would stand on the record. The critic did not deny these facts, which are understood to have involved a Public Defender in Alameda County some 30 years ago who murdered one of the persons whom he was defending.

Colonel James C. Garnett, Office of the Judge Advocate General, U. S. Army, was the third panelist. Colonel Garnett described the assigned counsel system which the Army uses to defend Army personnel charged with crimes. He claimed the system to be impartial and successful but made no remarks of interest to the Bureau. A Navy officer in the audience made a short statement during the question and answer period in which he took the position that there is always a strong possibility that assigned counsel in the military services will conduct the defense of the accused with one ear open to the desires of their superior officers. The discussion in this session was conducted against a background of continual agitation coming from certain quarters to set up a system to defend the so-called indigent criminal. The National Legal Aid Association, in cooperation with The Standing Committee on Legal Aid Work of the ABA, is leading the fight for such legal defense facilities and puts out a considerable quantity of literature advocating that system although it should be noted that it does not state whether the defense work should be by tax paid Public Defenders

25

Memorandum to Mr. Tolson

Re: American Bar Association

Criminal Law Section, Monday, August 25, 1958

"The Public Defender"

or by privately financed Legal Aid Associations. It is claimed by this source that from 25% to 75% of all accused persons are indigent and that if only serious offenses are considered, about 60% of the accused are unable to retain counsel. This same source suggests that investigators are necessary to assist the defense counsel, as pointed out in the following statement: "All officers agree on the value of an independent investigation. The nature of the cases and local practices will determine to what extent the Defender can use the state's facilities for investigation. Some Defenders receive copies of the police reports, or of the probation department's pre-sentence investigation. Where these facilities are reliable, investigation can be limited to one covering positive defenses (e.g., alibi, insanity, et cetera)."

The handbook on "How to Organize a Defender's Office" put out by the National Legal Aid Association and distributed at the ABA convention shows that California, Connecticut, and Illinois have Public Defenders.

Jacoby *Calif*
In the Federal sphere, Congressman Javits of New York (R.) introduced S3275 in the Congress just terminated in order to provide for the representation of indigent offenders in criminal cases in the Federal District Courts. The Bill would allow appointment of a full-time Public Defender or Assistant Public Defender whose salary shall not exceed \$10,000 per year. It also provided for payment to appointive counsel for criminal defendants in particular cases at a rate not to exceed \$35 per day. There was no mention of the investigators for these Public Defenders but it seems likely that a Bill to allow the Public Defenders to hire investigators or to obtain some type of access to the reports made by Federal investigative agencies could logically be expected from the proponents of such legislation once the office of Public Defender is firmly established. S3275 passed the Senate on July 15, 1958, and was presented to the House Committee on the Judiciary and failed to pass the House. The Director's comment on it was as follows: "Bennett is as active as a beaver in behalf of this legislation and that is what makes me suspicious of it. H."

Attached are two clippings describing (1) the views of Ellery Cuff and (2) the views of Judge Dimock, as well as two publications put out by the afore-mentioned National Legal Aid Association. These provide background information of possible use to the Bureau in the future.

NATIONAL LEGAL AID ASSOCIATION

AMERICAN BAR CENTER · CHICAGO 37, ILLINOIS

STATISTICS OF LEGAL AID WORK IN THE UNITED STATES AND CANADA 1957

On the following pages statistics are presented on the number of cases handled, the population served, and the gross cost of operation of all known Legal Aid organizations giving service during the calendar year 1957.

Due to the presence or absence of such resources as small claims courts, domestic relations courts and wage collection facilities affecting the type of case handled and the service required of a Legal Aid office, comparisons cannot be made on the basis of figures alone. Local circumstances are also responsible for wide variations in operating costs.

In some instances figures are lacking because they were not computed and reported. Offices reporting the number of cases handled and costs for less than a year are indicated by footnote. Figures reported are for the calendar year unless otherwise indicated.

SUMMARY OF LEGAL AID FACILITIES

	1957	7-1-58
Legal Aid Offices	188	200*
Legal Aid Societies	86	88
Legal Aid Societies (Volunteer)	8	10
Department of Social Agency	10	10
Bar Association Offices	27	33
Referral Offices	39	41
Law School Clinics	13	13
Public Bureaus	5	5
Volunteer Committees	88	88
Defender Organizations	87	87
Public Defenders	77	77
Voluntary Defenders	10	10

The Volunteer Committees and Law School Clinics included in the above figures are those which render direct Legal Aid service to clients. In addition, there are a number of Law School Clinics which assist existing Legal Aid offices and an uncertain number of Bar Association Committees engaged in studying or promoting Legal Aid work:

Offices and Committees for civil cases Pages 3 to 9 inclusive
Defender Offices Pages 10 to 12 inclusive
Notes Pages 13 to 14 inclusive

17
ENCLOSURE
94-1-369-1105

RECAPITULATION--1957

Legal Aid Organizations Civil Cases	New Cases Handled	Gross Cost of Operation
117 reporting number of cases and gross cost of operation	276,330	\$2,111,003.83
53 reporting number of cases only	10,640	
10 Public Defender offices reporting civil cases. Operating cost included in gross cost reported below.	28,845	
Total Civil Cases	315,815	\$2,111,003.83

Public and Voluntary Defenders
Criminal Cases

57 reporting number of criminal cases and gross cost of operation	224,938	\$1,576,203.96
5 reporting number of criminal cases only	1,026	
Total Criminal Cases	225,964	\$1,576,203.96
TOTALS	541,779	\$3,687,207.79

Collections for Clients

Reports from 45 organizations reveal that \$810,914.17 was collected for clients during the year 1957. Of this amount, \$339,787.86 was paid through the books of 36 reporting organizations, and the balance of \$471,126.31 was paid direct to clients as a result of Legal Aid service.

Service Charges

Of the organizations reporting, 66 indicated that they made a nominal charge for applications or service. A total of \$126,918.99 was received from such sources and applied to operating costs.

8

<u>State and City</u>	<u>Popu- lation¹</u>	<u>Type of Or- ganization²</u>	<u>New Cases</u>	<u>Cases per 1,000 of Population</u>	<u>Gross Cost</u>
<u>ALABAMA</u>					
Birmingham	558	Soc.	991	1.77	\$ 8,982.08
Mobile ¹²	231	Ref. Off.	35	.15	
Montgomery	139	B. A. Off.	78	.56	102.00
<u>ARIZONA</u>					
Phoenix	332	Soc.	1,155	3.48	
Tucson	141	B. A. Off.	343	2.43	8,500.00
<u>ARKANSAS</u>					
Fort Smith	64	Ref. Off.			
Little Rock	197	Soc.	78	.40	900.00
<u>CALIFORNIA</u>					
Bakersfield	228	Vol. Comm.			
Compton	56	Vol. Comm.			
Fresno	92	Vol. Comm.			
*Long Beach	251	Soc.	3,077	12.30	10,649.07
Los Angeles	4,152	Soc.	13,749	3.31	75,149.33
Modesto	17	Vol. Comm.			
Monterey	130	Ref. Off.			
Oakland	740	Soc.	3,450	4.66	21,600.00
Palo Alto ¹⁹	34	Vol. Comm.	139	4.08	
*Pasadena ⁴	105	Soc.	582	5.54	6,086.62
Pomona Valley	45	Ref. Off.			
Riverside	170	Ref. Off.			
Sacramento	277	Soc.	1,668	6.02	11,862.09
San Bernardino ²⁴	74	Vol. Comm.			
San Diego	557	Soc.	1,902	3.41	19,751.00
San Fernando Valley					
Van Nuys	91	Ref. Off.	134	1.47	4,517.08
San Francisco ⁴	775	Soc.	5,724	7.39	52,774.71
San Luis Obispo	51	Ref. Off.			
San Mateo	236	Ref. Off.			
San Rafael	86	Ref. Off.	300	3.48	767.00
San Jose (Santa Clara Co.)	291	Ref. Off.	602	2.07	
Santa Cruz (Includes Wat- sonville)	66	Ref. Off.	57	.86	5.00
Stockton	71	Vol. Comm.			
Walnut Creek	298	Ref. Off.			
Willows	3	Vol. Comm.			
<u>COLORADO</u>					
Boulder ⁵	48	Clinic	169	3.52	700.00
Colorado Springs	75	Soc.			
*Denver ¹⁰	416	Soc.	4,375	10.52	34,290.86
Pueblo	90	Soc.	41	.46	99.32
<u>CONNECTICUT</u>					
*Bridgeport ⁵	159	Dept. S. A.	201	1.26	
*Hartford	177	Pub. Bur.	1,715	9.69	
*New Haven	164	Pub. Bur.	2,136	13.02	9,591.00
New London & Norwich	54	Ref. Off.	100	1.85	500.00
*Waterbury ¹⁰	104	Soc.	158	1.52	1,150.00

<u>State and City</u>	<u>Popu- lation¹</u>	<u>Type of Or- ganization²</u>	<u>New Cases</u>	<u>Cases per 1,000 of Population</u>	<u>Gross Cost</u>
<u>DELAWARE</u> Wilmington	219	B. A. Off.	876	4.0	\$ 7,100.00
<u>DISTRICT OF COLUMBIA</u> Washington ⁶	802	Soc. B. A. Off.	6,232 3,900	7.77 4.86	28,552.06 3,500.00
<u>FLORIDA</u> Bradenton Clearwater Fort Lauderdale ³ Fort Pierce Gainesville Jacksonville Lakeland Miami *Miami Beach Orlando ²⁵ Pensacola St. Petersburg Tampa West Palm Beach	35 159 84 20 57 304 124 444 51 115 44 159 250 115	Vol. Comm. Ref. Off. Vol. Comm. Vol. Comm. Vol. Comm. Soc. Ref. Off. B. A. Off. B. A. Off. Vol. Comm. Soc. Ref. Off. Soc. Soc.	18 256 1,355 2,125 417 230 693	.51 3.05 4.46 4.78 8.18 5.22 4.59	25.00 12,845.24 22,889.80 250.00
<u>GEORGIA</u> Atlanta Augusta Macon Rome Savannah	474 72 114 63 151	Soc. Ref. Off. Ref. Off. Vol. Comm. Ref. Off.	5,440	11.48	35,920.17
<u>ILLINOIS</u> Bloomington Chicago LAB Chicago JF and CS Joliet Peoria ¹⁹ Moline Rockford ⁸ Springfield	76 4,509 134 174 134 152 131	Vol. Comm. Dept. S. A. Dept. S. A. Vol. Comm. Soc. Vol. Comm. B. A. Off. Vol. Comm.	21,115 884 587 247	4.68 .20 3.37 1.63	181,999.00 7,073.10
<u>INDIANA</u> Gary Indianapolis South Bend	134 552 205	Vol. Comm. Soc. Soc.	2,075 761	3.76 3.71*	16,993.00
<u>IOWA</u> Des Moines Waterloo	226 100	Soc. Vol. Comm.	664	2.93	10,357.98
<u>KANSAS</u> Topeka	105	Ref. Off.			
<u>KENTUCKY</u> Louisville	485	Soc.	5,621	11.59	21,530.00

<u>State and City</u>	<u>Popu- lation¹</u>	<u>Type of Or- ganization²</u>	<u>New Cases</u>	<u>Cases per 1,000 of Population</u>	<u>Gross Cost</u>
LOUISIANA					
Baton Rouge	158	B. A. Off.	97	.61	\$ 2,300.00
Bossier City	40	Vol. Comm.			
Covington	27	Vol. Comm.			
Lake Charles	89	Vol. Comm.			
Minden ¹⁷	35	Vol. Comm.	2	.06	
*New Orleans	570	Soc.	1,663	2.92	10,968.27
Rayville	26	Vol. Comm.			
Shreveport	177	B. A. Off.	1,251	7.07	8,650.60
St. Martinsville	26	Vol. Comm.	6	.23	
MAINE					
Portland	169	B. A. Off.	275	1.63	
MARYLAND					
Baltimore	950	Soc.	7,997	8.41	47,156.00
MASSACHUSETTS					
Boston	1,562	Soc.	7,578	4.85	92,985.00
*Cambridge ⁸	121	Soc.	292	2.41	5,912.84
*New Bedford	109	Soc.			
Springfield	368	Soc.	2,514	6.83	15,436.00
*Worcester	203	Soc.	666	3.28	7,860.59
MICHIGAN					
Battle Creek	121	Vol. Comm.	71	.59	
Bay City	88	Vol. Comm.			
Benton Harbor	116	Vol. Comm.			
Detroit	2,435	Soc.	15,172	6.23	95,900.00
Ferndale (Pontiac incl.)	369	Vol. Comm.			
Flint	271	Soc.	1,090	4.02	12,275.00
Grand Rapids	288	Soc.	2,160	7.50	20,180.74
Kalamazoo	127	Soc.	937	7.38	8,586.00
Lansing	173	Dept. S. A.	342	1.98	1,890.00
Mount Clemens	185	Vol. Comm.			
MINNESOTA					
Duluth	206	B. A. Off.	321	1.56	2,962.30
Minneapolis	677	Soc.	2,349	3.46	22,866.00
St. Paul	355	Dept. S. A.	773	2.18	18,864.66
MISSISSIPPI					
Jackson	142	Dept. S. A.	332	2.34	1,500.00
MISSOURI					
*Kansas City	457	Pub. Bur.	3,818	8.35	13,648.73
Kansas City		Clinic			
*St. Louis	857	Pub. Bur.			
NEBRASKA					
Lincoln ¹⁸	120	Clinic	97	.81	1,200.00
Omaha ²²	281	Clinic	275	.98	500.00
NEW HAMPSHIRE					
Manchester		Vol. Comm.			

<u>State and City</u>	<u>Popu- lation¹</u>	<u>Type of Or- ganization²</u>	<u>New Cases</u>	<u>Cases per 1,000 of Population</u>	<u>Gross Cost</u>
<u>NEW JERSEY</u>					
Asbury Park (Mon- mouth County)	225	Soc.	944	4.20	\$ 3,500.00
Atlantic City	132	Soc.	1,017	7.70	3,200.00
Bridgeton (Cumberland Co.)	89	Ref. Off.			
Camden	301	Soc.			
Elizabeth (Union County)	398	Soc.	758	1.90	4,841.47
Flemington (Hunterdon Co.)	43	Ref. Off.			
Hackensack (Bergen Co.)	539	Ref. Off.			
Jersey City (Hudson Co.)	647	Soc. Vol.	410	.63	1,150.00
Millville (Cumberland Co.)	89	Ref. Off.			
Morristown (Morris Co.) ^{15, 24}	164	B. A. Off.	27	.16	50.00
Mt. Holly (Burlington Co.)	136	Soc. Vol.			
Newark (Essex Co.)	906	Soc.	5,355	5.91	12,175.73
New Brunswick (Middle- sex Co.)	265	Ref. Off.			
Newton (Sussex Co.)	34	Soc. Vol.	15	.44	
Paterson (Passaic Co.)	337	Soc. Vol.			
Salem (Salem Co.)	50	B. A. Off.			
Somerville (Somerset Co.)	99	Soc. Vol.	8	.08	
Toms River (Ocean Co.)	57	Soc.	254	4.45	
Trenton (Mercer Co.)	230	Ref. Off.	496	2.16	720.00
Vineland (Cumberland Co.)	88	Ref. Off.	7	.79	
Washington (Warren Co.)	54	Soc. Vol.			
Wildwood (Cape May Co.)	37	Soc. Vol.	80	2.16	
<u>NEW MEXICO</u>					
Albuquerque ¹⁰	146	Soc.	1,845	12.64	10,416.10
<u>NEW YORK</u>					
Albany	239	Soc.	1,129	4.72	9,637.00
Auburn	70	Vol. Comm.	5	.07	
Batavia	48	Ref. Off.			
Bath (Steuben County)	91	Vol. Comm.			
Bay Shore (Suffolk Co.) ²¹	276	Soc.	1,094	3.90	14,110.60
Binghamton	184	Ref. Off.			
Bronx County (N. Y. C.)	1,451	Vol. Comm.			
Buffalo ¹¹	899	Soc.	4,438	4.94	86,965.00
Ithaca	59	Ref. Off.	23	.39	
Lyons (Wayne County)	57	Vol. Comm.			
Mineola (Nassau Co.)	673	Soc.	2,057	3.06	19,060.00
New York City	7,891	Soc.	38,733	4.91	258,000.00
New York City FLS		Soc.	869	.11	83,625.00
Niagara Falls ¹¹	190	Soc.	761	4.01	8,294.39
Olean (Cattaraugus Co.)	23	Vol. Comm.			
Plattsburg	54	Vol. Comm.			
Poughkeepsie	137	Soc.	163	1.18	1,503.25
Queens Co. (Jamaica)	1,551	Vol. Comm.			
Richmond Co. (Staten Is.)	192	Vol. Comm.	20	.10	
Rochester	488	Soc.	3,068	6.28	31,828.74
Salamanca (Cattaraugus Co.)	8	Vol. Comm.	3	.38	7.50
Schenectady	142	Vol. Comm.	123	.87	
Syracuse	342	Soc.	1,389	4.06	23,517.56
Utica	223	Soc.	402	1.80	8,542.77
Yonkers	153	Dept. S. A.	305	1.99	
Yonkers		Vol. Comm.			

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State and City	Popu- lation ¹	Type of Or- ganization ²	New Cases	Cases per 1,000 of Population	Gross Cost
NORTH CAROLINA					
Charlotte	199	Vol. Comm.	12	.06	
Durham	102	Clinic	643	6.30	
Raleigh	136	Vol. Comm.	125	.92	
Rocky Mount	112	Vol. Comm.	18	.16	
Winston Salem	146	Ref. Off.	8	.06	
OHIO					
Akron	410	Soc.	2,318	5.65	11,349.00
Canton	283	Soc.	804	2.84	10,027.00
Cincinnati	724	Soc.	7,856	10.85	55,352.70
Cleveland	1,390	Soc.	6,531	4.70	51,705.15
Columbus	503	Soc.			
Columbus		Clinic			
Dayton	398	Ref. Off.			
Springfield	112	B. A. Office	85	.76	123.59
Toledo	396	Soc.	2,407	6.08	16,696.47
Troy (Miami County)	61	Vol. Comm.			
Wooster (Wayne County)	59	Ref. Off.			
Youngstown	258	Soc.	908	3.52	9,684.36
OKLAHOMA					
Bristow	43	Vol. Comm.			
Duncan	34	Ref. Off.	24	.71	150.00
Oklahoma City ¹¹	325	Soc.	952	2.93	9,442.00
Tulsa ¹¹	252	Soc.	1,357	5.38	9,274.00
OREGON					
Eugene	126	B. A. Off.			
Portland	472	B. A. Off.	3,026	6.41	17,363.00
Salem	101	Clinic	400	3.96	500.00
PENNSYLVANIA					
Allentown (Lehigh Co.)	198	B. A. Office	303	1.53	
Altoona (Blair Co.)	140	Vol. Comm.			
Bellefonte (Centre Co.)	66	Vol. Comm.			
Carlisle (Cumberland Co.)	94	Vol. Comm.	25	.27	
Chester (Delaware Co.)	414	Vol. Comm.			
Doylestown (Bucks Co.)	145	Ref. Off.			
Easton (Northampton County) ²⁰	185	Vol. Comm.	47	.25	
Erie ¹¹	219	Dept. S. A.	434	1.98	2,541.47
Greensburg (Westmoreland Co.)	313	Vol. Comm.	24	.08	
Harrisburg (Dauphin Co.)	198	B. A. Off.	188	.95	1,050.00
Kittanning (Armstrong Co.)	81	Vol. Comm.	25	.31	
Lancaster	235	B. A. Off.	100	.43	600.00
Lebanon (Lebanon Co.)	82	Vol. Comm.	5	.06	
Lewistown (Mifflin Co.)	44	Vol. Comm.			
Meadville (Crawford Co.)	79	Vol. Comm.			
Media (Delaware Co.)	414	B. A. Off.	551	1.24	1,399.37
*Mount Pleasant	6	Vol. Comm.	25	4.10	
Norristown (Montgomery County)	353	Vol. Comm.	101	.29	

<u>State and City</u>	<u>Popu- lation¹</u>	<u>Type of Or- ganization²</u>	<u>New Cases</u>	<u>Cases per 1,000 of Population</u>	<u>Gross Cost</u>
PENNSYLVANIA (cont.)					
*Philadelphia ⁷	2,071	Soc.	14,441	6.97	\$ 77,026.00
Philadelphia Temple University ⁷	2,071	Clinic	1,017	.49	
Pittsburgh	1,515	Soc.	3,649	2.41	37,248.00
Reading (Reading Co.)	256	Soc.			
Scranton (Lackawana Co.)	257	Vol. Comm.	300	1.17	
Somerset (Somerset Co.)	82	Vol. Comm.			
Sunbury (Northumberland County)	117	Vol. Comm.			
Wilkes Barre (Luzerne Co.)	392	Soc.	636	1.62	
Williamsport (Lycoming Co.)	101	B. A. Off.	15	.15	
York (York Co.)	203	Vol. Comm.			
RHODE ISLAND					
Newport	62	Vol. Comm.	35	.56	
Providence	425	Soc.	1,205	2.84	14,096.63
SOUTH CAROLINA					
Charleston	165	Soc.	453	2.75	2,533.39
SOUTH DAKOTA					
Rapid City	34	Vol. Comm.	68	2.00	
Sioux Falls	71	Vol. Comm.	23	.32	
TENNESSEE					
*Chattanooga ⁶	131	Vol. Comm.	100	.76	
Knoxville ³	233	Clinic	286	1.23	11,700.00
Memphis	482	Soc.			
Nashville ¹¹	322	Ref. Off.	288	.89	
TEXAS					
*Amarillo	73	Soc.			
Austin	161	Clinic	432	2.68	
Beaumont (Jefferson Co.)	195	Soc.	363	1.86	9,230.00
Borger (Hutchinson Co.)	32	Vol. Comm.	6	.19	100.00
Corpus Christi (Nueces Co.)	165	Soc.	756	4.58	2,012.50
Dallas (Bureau)	615	Pub. Bur.	2,240	3.64	8,324.00
Dallas (Society) ¹³		Soc.	1,512	2.45	11,702.74
Dallas (Clinic)		Clinic	256	.42	874.55
Elsa (Hidalgo Co.)	160	Vol. Comm.			
Fort Worth	361	B. A. Off.	891	2.47	7,719.00
Freeport (Brazoria Co.)	47	Vol. Comm.	2	.04	
Houston	807	B. A. Off.	1,444	1.79	15,979.00
Kingsville (Kleberg Co.)	22	Vol. Comm.			
Lamesa	19	Vol. Comm.			
Lubbock (Lubbock Co.)	101	Vol. Comm.			
Orange (Orange Co.)	41	Vol. Comm.			
Pampa (Gray Co.)	25	Vol. Comm.			
San Antonio (Bexar Co.) ¹²	500	Soc.	2,004	4.00	13,441.36
Tyler (Smith Co.)	75	Vol. Comm.	12	.16	
Waco	130	Clinic			
Wichita Falls (Wichita Co.)	98	Vol. Comm.			

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<u>State and City</u>	<u>Popu- lation¹</u>	<u>Type of Or- ganization²</u>	<u>New Cases</u>	<u>Cases per 1,000 of Population</u>	<u>Gross Cost</u>
<u>UTAH</u>					
Ogden (Weber Co.) ¹⁶	83	Soc.	35	.42	
Salt Lake City	275	Soc.	1,064	3.87	\$ 10,507.15
<u>VERMONT</u>					
Bennington	24	Soc. Vol.			
Burlington	63	Ref. Off.	50	.79	25.00
<u>VIRGINIA</u>					
*Alexandria	62	Ref. Off.			
Arlington	135	B. A. Off.			
Charlottesville	27	Vol. Comm.	6	.22	
*Richmond	230	Dept. S. A.	174	.76	
*Roanoke	92	Ref. Off.	71	.77	1,469.29
<u>WASHINGTON</u>					
Seattle	733	B. A. Off.	2,901	3.68	13,606.61
Tacoma	276	Vol. Comm.			
Yakima ⁹	136	Vol. Comm.	100	.74	50.00
<u>WEST VIRGINIA</u>					
Charleston	240	Soc.	402	1.67	4,988.00
Parkersburg	67	B. A. Off.			
Wheeling	72	Vol. Comm.			
<u>WISCONSIN</u>					
Green Bay	98	Vol. Comm.			
LaCrosse	68	Vol. Comm.			
Madison ⁵	169	Soc.	323	1.91	4,000.00
Milwaukee ¹⁰	871	Soc.	3,622	4.16	29,084.00
Neillsville	32	Vol. Comm.			
Rhinelander	21	Vol. Comm.			
Tomahawk	22	Vol. Comm.			
Wausau	80	Vol. Comm.	77	.96	
Wisconsin Rapids	51	Vol. Comm.			
<u>HAWAII</u>					
Honolulu	353	Soc.	993	2.81	15,484.00
<u>PUERTO RICO</u>					
Rio Piedras	132	Clinic			
San Juan	224	Soc.			
<u>PHILIPPINE ISLANDS</u>					
Manila	1,025	Soc.			
<u>CANADA</u>					
Toronto (Ontario)	1,358	B. A. Off.	1,762	1.30	8,266.00
Montreal (Quebec)	903	Dept. S. A.	207	.23	
Montreal (Quebec)		Soc.	1,116	1.24	11,895.57

DEFENDER SECTION

State and City	Popu- lation ¹	Type of Or- ganization ²	New Cases		Gross Cost
			Criminal	Civil	
CALIFORNIA					
Auburn (Placer Co.)	42	Pub.	150	2	\$ 4,800.00
Davis (Yolo Co.)	41	Pub.			
El Centro (Imperial Co.)	63	Pub.			
Eureka (Humboldt Co.)	69	Pub.	200		8,400.00
Independence (Inyo Co.) ⁷	11	Pub.	86		3,600.00
Indio (Riverside Co.)	170	Pub.			
Long Beach	251	Pub.	604		15,300.00
*Los Angeles City	1,970	Pub.	150,160	24,088	122,487.98
Los Angeles County ⁸	4,151	Pub.	10,878	3,005	353,891.61
Marysville (Yuba Co.) ²¹	24	Pub.	101		4,387.00
Merced (Merced Co.) ⁸	70	Pub.	157		5,770.74
Modesto (Stanislaus Co.) ⁸	127	Pub.	203		10,000.00
Oakland (Alameda Co.)	740	Pub.	2,757	178	89,552.88
Oroville (Butte Co.) ⁶	65	Pub.	20		
Riverside (Riverside Co.) ⁴	170	Pub.	501		19,535.00
Sacramento (Sacramento Co.)	277	Pub.	1,261	18	39,235.00
San Francisco (City & Co.) ⁸	775	Pub.	4,570		109,554.00
San Rafael (Marin Co.) ⁸	86	Pub.	200		12,678.00
Santa Ana (Orange Co.)	216	Pub.	796		47,000.00
Stockton (San Joaquin Co.)	201	Pub.	1,106		21,500.00
Visalia (Tulare Co.) ¹⁷	149	Pub.	285		12,082.00
Yreka (Siskiyou Co.)	31	Pub.			
Yuba City (Sutter Co.) ⁸	26	Pub.	30		2,750.00
CONNECTICUT					
Bridgeport (Fairfield Co.)	504	Pub.	280		6,000.00
Hartford (Hartford Co.)	540	Pub.			
Middletown (Middlesex Co.)	67	Pub.	51		
New Haven (New Haven Co.) ¹⁷	545	Pub.	120	1	3,000.00
Norwich (New London Co.) ¹⁸	145	Pub.	68		3,000.00
Rockville (Tolland Co.) ⁴	45	Pub.	102		2,200.00
Thomaston (Litchfield Co.)	99	Pub.	45	1	2,300.00
Willimantic (Windham Co.)	62	Pub.	66		2,380.00
FLORIDA					
Fort Lauderdale (Broward Co.)	84	Pub.			
Miami (Dade Co.) ²³	495	Pub.	784	15	27,950.00
ILLINOIS					
Aurora (Kane Co.)	150	Pub.			
Benton (Franklin Co.)	49	Pub.			
Bloomington (McLean Co.)	77	Pub.			
Carbondale (Jackson Co.)	38	Pub.	37		2,400.00
Champaign (Champaign Co.)	101	Pub.			
Chicago (Cook Co.) ¹²	4,509	Pub.	1,777		118,213.47
Decatur (Macon Co.) ⁶	99	Pub.	48		5,600.00
DeKalb (DeKalb Co.)	41	Pub.			
Dixon (Lee Co.)	36	Pub.	51		2,000.00
East St. Louis (St. Clair Co.)	206	Pub.			
Freeport (Stephenson Co.)	42	Pub.			
Galesburg (Knox Co.)	54	Pub.			
Granite City (Madison Co.) ²⁰	182	Pub.	55		4,300.00

State and City	Popu- lation ¹	Type of Or- ganization ²	New Cases		Gross Cost
			Criminal	Civil	
ILLINOIS (cont.)					
Hooperston (Vermilion Co.)	87	Pub.			\$
Jacksonville (Morgan Co.)	36	Pub.	23		1,700.00
Joliet (Will Co.)	134	Pub.	60		3,000.00
Kankakee (Kankakee Co.)	73	Pub.	37		3,000.00
Kewanee (Henry Co.)	46	Pub.	31		1,250.00
Lewistown (Fulton Co.)	43	Pub.	21		2,500.00
Lombard (DuPage Co.)	154	Pub.			
Marion (Williamson Co.)	49	Pub.	30		3,250.00
Morrison (Whiteside Co.)	49	Pub.	25	10	3,260.00
Mt. Vernon (Jefferson Co.)	36	Pub.	54		2,190.00
Ottawa (La Salle Co.) ⁴	101	Pub.	29	3	
Pana (Christian Co.)	38	Pub.			
Pekin (Tazewell Co.)	76	Pub.			
Peoria (Peoria Co.)	174	Pub.	104		3,500.00
Pontiac (Livingston Co.)	38	Pub.			
Quincy (Adams Co.) ³	64	Pub.	27	8	2,100.00
Rock Island (Rock Island Co.)	134	Pub.			
Springfield (Sangamon Co.)	131	Pub.	41		3,600.00
INDIANA					
Evansville (Vanderburgh Co.) ¹⁴	160	Pub.	152		5,300.00
Indianapolis (Statewide)	552	Pub.	500		20,000.00
South Bend (St. Joseph Co.)	205	Pub.	74		3,150.00
LOUISIANA					
New Orleans ¹¹	570	Vol.	884		20,252.58
MASSACHUSETTS					
Boston	1,562	Vol.	1,337		31,035.03
Cambridge	896	Vol.			
Springfield	162	Vol.	175		5,200.00
MINNESOTA					
Minneapolis (Hennepin Co.)	677	Pub.			
St. Paul (Ramsey Co.)	311	Pub.			
MISSOURI					
St. Louis	857	Pub.	687		26,390.70
NEBRASKA					
Omaha (Douglas Co.)	281	Pub.	373	1,516	23,625.00
NEW YORK					
Buffalo (Erie Co.) ¹⁷	899	Vol.	228		11,000.00
*New York City	7,891	Vol.	32,443		224,207.71
Rochester (Monroe Co.) ⁵	488	Pub.	450		7,500.00
OHIO					
Cincinnati (Hamilton Co.)	724	Vol.	3,327		3,628.00
Columbus (Franklin Co.)	503	Pub.			
OKLAHOMA					
Oklahoma City (Oklahoma Co.)	325	Pub.			
Tulsa (Tulsa Co.)	252	Pub.	200		3,000.00
PENNSYLVANIA					
Philadelphia (Philadelphia Co.) ⁷	2,071	Vol.	3,593		65,566.27
Pittsburgh (Allegheny Co.)	1,515	Vol.	1,234		21,730.99

State and City	Popu- lation ¹	Type of Or- ganization ²	New Cases		Gross Cost
			Criminal	Civil	
RHODE ISLAND					
Providence (Providence Co.)	575	Pub.			\$
TENNESSEE					
Memphis (Shelby Co.) ⁵	482	Pub.	1,350		13,400.00
CANADA					
Toronto (Ontario Province)	1,358	Vol.	926		Included in Ontario Prov- ince civil costs.

FOOTNOTES

¹ Based on the 1950 Census and stated in thousands. The population given for all places not marked with an asterisk (*) represents the population of the county in which the city is located, which is generally the area served. Where an asterisk appears, the population figure given represents the area actually served.

² The following abbreviations are used to describe the various types of organization:

SOC.--Society or independent organization.

SOC. VOL.--Legal Aid staff of society entirely volunteer.

DEPT. S. A.--Department of a public or private social agency.

PUB. BUR.--A separate Legal Aid Bureau supported by tax funds.

CLINIC--A law school clinic giving direct Legal Aid service to clients.

B. A. OFF.--A Legal Aid office operated, but not necessarily financed, by a bar association.

REF. OFF.--An office where applications for Legal Aid service are received for referral to volunteer attorneys.

VOL. COMM.--A volunteer committee of lawyers of a bar association or other group doing Legal Aid work.

DEFENDERS--PUB.--public

VOL.--voluntary or private

³ Fiscal year ends January 31.

⁴ Fiscal year ends February 28.

⁵ Fiscal year ends March 31.

⁶ Fiscal year ends April 30.

⁷ Fiscal year ends May 31.

⁸ Fiscal year ends June 30.

⁹ Fiscal year ends August 31.

¹⁰ Fiscal year ends September 30.

¹¹ Fiscal year ends October 31.

¹² Fiscal year ends November 30.

¹³ Fiscal year ends March 15.

¹⁴ Fiscal year ends August 15.

- ¹⁵ Period covered--one month.
- ¹⁶ Period covered--three months.
- ¹⁷ Period covered--six months.
- ¹⁸ Period covered--seven months.
- ¹⁹ Period covered--eight months.
- ²⁰ Period covered--nine months.
- ²¹ Period covered--eleven months.
- ²² Academic year.
- ²³ Period covered--November, 1955 to August, 1957.
- ²⁴ Society since organized: San Bernardino, California; Morristown, New Jersey.
- ²⁵ Bar Association Office since organized: Orlando, Florida.

*This figure includes the following offices since organized and not included in the body of the statistics:

Societies: Vallejo, California; Santa Rosa, California.

Voluntary Societies: Sterling, Illinois; Midland, Texas.

Bar Association Office: Huntington, West Virginia; Richmond, California; Warren, Ohio; Santa Ana, California; Hermosa Beach, California; Torrance, California.

Referral Office: Florence, Alabama; Galveston, Texas.

21

ENCLOSURE



ENCLOSURE

94-1-369-1105

Federal Judge Raps Gov't. Defenders

Criticizing the public defender system as "bad statesmanship" and "bad administration of justice," United States District Judge E. J. Dimock of New York called for the creation of a national association for private defense of the poor.

He made the proposal at the ABA's panel on Criminal Law at the Biltmore Hotel. His topic was "The Public Defender." Ellery E. Cuff, Los Angeles County Public Defender, spoke on the same subject.

"The public defender's coziness with the prosecutor is the inevitable result of having the state as the paymaster of both," said Judge Dimock. He was not referring to Cuff, but to the setup of a system he does not approve of in the handling of indigents.

Judge Dimock proposed the new foundation to handle the defense of the indigent "to fill the gap between legal aid and the public defender's offices throughout the country."

Favors Private Defense

A year after the public defender's office—the first in the nation—was established in Los Angeles in 1913, Judge Dimock said that a New York City Bar Association committee reported in favor of privately supported organized defense and against public support of defense.

He said that the case of every indigent defendant in the state and federal courts in New York County is assigned to the Legal Aid Society, as a matter of course. New York lawyers contribute "more than enough" to support the defense of the indigent in criminal and civil litigation, in addition to lay contributions, Judge Dimock said, in observing:

"It has every good feature of the public defender system and none of its disadvantages." He stated that the privately supported defenders, such as the Legal Aid Society in New York

and the Voluntary Defenders in Boston and Philadelphia do a better job for their clients than the public defender office.

However, the jurist said that the most important point to be considered is "one of stateship."

"There are some things that we cannot turn over to the state without surrendering our liberties. Is it not obvious that the last function that we should give up should be the defense against accusation of crime?" He continued:

Lawyer Control

"The ultimate in absolute power of a totalitarian government is control over the lawyers who shall represent those whom it names as its enemies."

"The chief defect of the public defender system," he said, "is its capacity for harm, rather than any harm it has yet done."

"Public defenders are no more paragons than the rest of us," the judge asserted. In discussing their ability and loyalty to their clients, he quoted Cuff as saying that the public defender here gets more guilty pleas because defendants tend to admit more to a defender who has an official relationship with the court.

"There you have the perfect picture of the working of the public defender system," Judge Dimock said. "The poor defendant admitting more to the public defender than he would if he were not a public official; and then the public defender, armed with his client's confidences, going to his close associate, the prosecutor, and the two of them in a cozy little session deciding what crime the defendant shall plead guilty of."

Public Inquisitor

The jurist added: "If we are going to admit the right to jury trial to rich defendants and turn the poor defendants over to a clinic, I think we should call it the public inquisitor system instead of the public defender system."

Lawyers, traditionally, he said, have carried the entire burden of private defense.

"There is no reason why they should be entitled to shift all or part of that burden when it becomes impossible for each lawyer to carry his share with his own hands."

"The lawyers ought to carry the entire burden again and set up their own legal aid societies and pay qualified specialists to act as deputies of the whole bar in defense of the poor." That has been done in New York and it ought to be done in every big city in the country.

"We used to think that we could look to the National Aid Association to rally the bar to the support of private defense of the poor."

"I suppose though, that legal aid is legal aid whether it comes from private pockets or the public treasury, so I make no complaint. To fill the gap that has opened

advocate the foundation of a National Association for Private Defense of the Poor."

Cuff Speaks

In his talk, Cuff briefly reviewed the work of the local public defender's office in the past 44 years.

From its inception and because of lack of precedent, the public defender and his deputies adopted the policy of being guided by the rules of ethics governing attorneys.

For some unknown reason, Cuff said, "there seems to be an opinion among many that a public hired attorney should not be bound by these rules."

He said that he has received a great many letters from prosecutors in the United States who argued that a public defender should reveal to the prosecutor any disclosure made to his client. "How they expect an attorney to gain the confidence of his client is beyond me," he said. "I cannot stress this point too strongly. A public defender should adhere unswervingly to these rules the same as any other attorney."

Seldom has his office been criticized for "lack of zeal" in protecting clients and most the criticism comes from the other side—that the public defender fights too zealously to protect his clients who, it is claimed, are obviously guilty.

Judges Criticise

On occasions, judges have leveled this criticism but it is not the rule for judges to interfere, he related.

The vast majority of judges appreciate the duty cast upon a lawyer, including the public defender, to put forth his very best efforts to protect the interests of his clients.

In discussing his office—a model of its kind in the country, Cuff noted that attorneys entering it as deputies or otherwise are keenly interested in developing a reputation for themselves as good trial lawyers.

"We do our best to help develop them to this end. This can only be done by giving a client the best representation possible."

"It would not be done by second guessing the judge or by going along with the district attorney's directions or substituting his own judgment for that of the court or jury, or by tampering with the rights of the defendant slightly."

METROPOLITAN NEWS

Los Angeles, Calif.

August 26, 1958

6 94-1-369-1165
ENCLOSURE

LOS ANGELES' PUBLIC DEFENDER NOT SUBJECT TO D.A. OR TRIAL JUDGE

The Public Defender in Los Angeles County is "not subservient to the trial judge and is no factotum of the District Attorney," Ellery Cuff, Public Defender, told the Criminal Section of the American Bar Association Monday.

Cuff declared that the office he represents, long ago adopted the policy of being governed by the rules of ethics, privately or privately employed attorneys.

Many arguments were advanced against unprecedented creation of the office in 1912. Cuff related, but the City Charter framers at that time were keenly aware of the plight of indigents charged with crime.

Cuff said opponents claimed among other things, that a public defender drawing his pay from public funds would become "lackadaisical" in his work, that he would be in some degree subservient to the district attorney, that he would substitute his own judgment for that of a jury or trial judge in criminal matters, that he would have to curry the favor of the judge, that he would be fearful of putting forth his best efforts in defending a person accused of a vicious and shocking crime, that he would only be interested in getting pleas of guilty, etc.

He declared those drawing up the charter for its framers were careful that the public defender should have as much independence of action in the performance of his duties as possible, independent of the district attorney and as independent of the judge as a private attorney. To keep it out of politics the charter provides that appointment should be filled from an eligible civil service list and that the board of supervisors make the appointment from such list.

The matter of appeals was not overlooked, he said, and explained: "A review of the experiences of this office, operating over 14 years, and of other like offices operating under similar provisions, for nearly that long, should be of value. Remember, we had no precedent but from the very start the Public Defender of Los Angeles County and his deputies adopted the policy of being guided by the rules of ethics, governing attorneys. This has been their rule and guide throughout the history of the office, and, so far as I know, has been closely adhered to by all other public defenders throughout California."

For some unknown reason, there seems to be a notion among many that a public hired attorney should not be bound by these rules. I have received a great many letters from prosecutors throughout the United States who argue a public defender should reveal to the prosecution any disclosure made by his client. How they expect an attorney to gain the confidence of his client is beyond me. I cannot stress this point too strongly. A public defender should adhere unwaveringly to these rules, the same as any other attorney.

No attempt has ever been made to advertise the office. No publicity agent has been employed nor has any publicity program been adopted. Rather, the policy has been to let the quality of the work speak for itself. Seldom have we been criticized for lack of zeal in protecting our clients. Most criticism comes from the other side, that the public defender fights too zealously to protect his clients who it is claimed are obviously guilty. On occasions even judges have done this. However, it is not the rule for the judges to interfere. The vast majority of judges appreciate the duty cast upon a lawyer, including the public defender, to put forth his very best efforts to protect the interests of his clients.

Probably the final word on this point has been said by our Supreme Court in the case of People vs. Adamson. This court can take judicial notice, too, that it would be difficult to find in California any lawyers more experienced or better qualified in defending criminal cases than the Public Defender of Los Angeles County and his staff.

Last February the University of California at Los Angeles Law School was conducting a course of continuing education for the bar. This was attended by many members of the bar, both young and old. In the criminal law section of this course an outstanding criminal lawyer and ex-president of the State Bar of California made the observation in lecturing to a group that if he were charged with a crime he knew of very few attorneys he would prefer over the Public Defender of Los Angeles County and his deputies to handle his defense.

It is found almost without exception that those attorneys coming into the office for the first time as deputies or otherwise are keenly interested in developing a reputation for themselves as good trial lawyers.

THE DAILY JOURNAL
Los Angeles, Calif.
August 27, 1958

ENCLOSURE

5 945-1-36931105705

Y Q D ✓ *Recd*
Los Angeles, California
August 23, 1958
gib
Op. 205

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C.Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

CALIF

b6
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MEMORANDUM DIRECTOR

X [redacted] District Director, Immigration and
Naturalization Service, 458 South Spring Street, Los Angeles,
called today to extend an invitation to you to appear as a
speaker at a Naturalization Ceremony sponsored by the Standing
Committee on Citizenship of the American Bar Association at
10:00 a.m., next Thursday, August 28, 1958. [redacted] said he was
calling from the office of [redacted] Attorney, 510
West Sixth Street, Los Angeles, who is also a member of the
Committee.

In the event you wish to communicate with [redacted]
[redacted] telephone number is RIchmond 9-4711; [redacted]
telephone number is MADison 5-2674.

Respectively submitted

D. K. Brown *Mf*
D. K. BROWN

Called & declined

DKB:mmw

REC-60

94-1-369-1106
18 SEP 10 1958

EX-135

CRIME REC.

5 7 SEP 11 1958 F 896

Office Memorandum • UNITED GOVERNMENT

TO : MR. TOLSON

DATE September 3, 1958

FROM : G. A. NEASE

SUBJECT

gr

SAC Brown of Los Angeles advised that an excellent editorial appears in the "Los Angeles Examiner" today concerning the Director's speech before the American Bar Association. It points up the activities of some courts in being oversolicitous of the criminals and the abuse of parole and probation. He is sending in the editorial.

Brown likewise advised that he is sending in an airtel indicating that he has been invited to meet with the Legislative Subcommittee on Criminal Law Enforcement in California on September 10. This subcommittee will explore the increase in crime in California and the accuracy of its crime reporting figures. He stated that this morning he had received the invitation to a closed door session. Among those to be present will be Sheriff-elect Peter J. Pitchess (a former Bureau agent), Chief of Police Parker, and a few other chiefs of police in the area. Brown stated that he is going to send a letter declining the invitation and indicating his appreciation of the motives prompting the invitation, but stating that since it is a legislative committee dealing with state legislative matters, he feels it would be inappropriate for him to attend. I told him that if thought this was an appropriate reply for if he declined on the basis of prior commitments, they would undoubtedly ask him to send a representative.

✓ Right REC-AB 194-1-369-1107

NOT RECORDED
47 SEP 11 1958

601 XE

1-Mr. Jones
GAN:jmr
(3)

✓ 57 SEP 1 1958

ORIGINAL COPY FILED IN : 94-18-433-129

Office Memorandum → UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/3/58

FROM : J. P. Mohr

SUBJECT: AMERICAN BAR ASSOCIATION
SECTION OF LEGAL EDUCATION AND ADMISSIONS

Tolson
 Nichols
 Boardman
 Belmont
 Mohr
 Parsons
 Rosen
 Tamm
 Trotter
 Nease
 Tele. Room
 Holloman
 Gandy

The Section of Legal Education and Admissions, American Bar Association (ABA), held a joint session with the National Conference of Bar Examiners at 2 p.m. on Tuesday, August 26, 1958, in Los Angeles, California. San Francisco, Chairman of the referenced ABA Section presided.

The discussion was on "The Alleged Subversive Applicant— His Rights and Obligations." The moderator was Vice Chairman of the Section. Members of the panel were Chief Justice Raymond S. Wilkins, Supreme Judicial Court of Massachusetts; Archibald Cox, Professor, Harvard Law School; and Florida Board of Law Examiners Chairman.

Chief Justice Wilkins gave his view of recent decisions by the Supreme Court in the Raphael Konigsberg case arising in Los Angeles, the Schware case arising in New Mexico, and the Patterson case arising in Oregon.

The Konigsberg, Schware, and Patterson cases were all cases arising through an action begun by an applicant for membership in a State Bar who had been denied membership because of alleged subversive activities or connections. Justice Wilkins' remarks were directed to the court's responsibility in this type of case. It was apparent that Justice Wilkins felt that the Supreme Court decision in the Konigsberg case, which reversed a decision of the California Supreme Court that the Board of Bar Examiners in California was justified in not admitting Konigsberg to practice, could not be squared with the Schware case and other decisions. Justice Wilkins felt that the Supreme Court had been in error in acting as a court of review and going into the factual situation rather than limiting itself to the legal points raised on certiorari in the Konigsberg case.

[] discussed the responsibilities of Bar Examiners in seeing to it that persons not attached to the principles of law and to the Constitution were screened and not afforded the right to practice. He expressed general agreement with the position taken by Justice Wilkins.

77 SEP 1 1958

1 - Mr. Nease (Attention: Mr. Hoxie)
1 - D. J. Dalbey

DJD: sms
(4)

REC-14 94-1-369-108
EX-108 14 SEP 9 1958

Memorandum to Mr. Tolson
Re: American Bar Association
Section of Legal Education and Admissions

Professor Cox addressed his remarks as to the responsibility of the law schools in screening applicants prior to commencing their law study or at some stage during their study as against the law schools' major responsibility of teaching law. Professor Cox differentiated the Konigsberg, Schware, and Patterson cases, particularly the Schware case on the ground that in the Schware case the applicant had a record of several arrests and the use of several aliases which added considerable weight to the evidence before the Bar Examiners. However, he pointed out that these arrests came about in the 1930 period during a time of economic stress and turmoil and tended to excuse radical or subversive activity of an individual during that period of history and indicated that more stress should be placed on subversive activities in later years which he said was the situation in the Patterson case where Patterson had a record of fairly recent Communist Party activity as well as a record of holding high position in the Communist Party.

Professor Cox felt that the Konigsberg decision was an unfortunate compromise of the Supreme Court, whose members were unable to come to any agreement on the basic issue that should have been decided in that case and that the court decided the case on another issue because it was the only way a decision could be reached. He felt that the Konigsberg case was very narrow in its application and that there was a very good probability that such a decision would never again be reached because it was most unlikely that the Supreme Court would again find itself facing the same issue while composed of the same personalities and philosophies as existed at the time the Konigsberg case was decided.

Professor Cox felt that possibly some responsibility existed on the part of law schools to screen applicants before they began their studies, primarily on the ground that permitting a subversive applicant to enter the law school who probably could not secure admission to the Bar upon completion of his course might be considered equivalent to taking money under false pretenses.

Professor Cox pointed out that law schools were not equipped to make investigations of applicants to ascertain subversive connections and that if such an effort were begun by law schools there would be a tendency for it to expand and increase in significance until the main function of the law school, namely teaching, would be overshadowed.

Upon the conclusion of Professor Cox's remarks, the panel was thrown open to discussion from the floor. A few unidentified individuals made further comments concerning the Konigsberg, Schware, and Patterson cases. One of them, who did not identify himself before

Memorandum to Mr. Tolson
Re: American Bar Association
Section of Legal Education and Admissions

the panel, was recognized as [redacted] ^{Calif} Los Angeles attorney, who has frequently represented "Fifth Amendment witnesses" before the House Committee on Un-American Activities and California Joint Fact-Finding Committee on Un-American Activities, and whose wife, [redacted] is Chairman of the Citizens Committee for Preservation of American Freedoms, characterized by informants as being communist controlled and dominated and which is currently organizing the defense of witnesses subpoenaed before an impending hearing to be held in Los Angeles by the House Committee on Un-American Activities and who has organized protest meetings against such hearings. Both [redacted] are Security Index subjects of the Los Angeles Office.

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b7C

[redacted] opened his remarks by commenting that he had heard none of the panelists define what "subversive activity" constituted and went on to raise questions concerning the interpretations placed by Bar Examiners on what he described as borderline or doubtful categories of activity. He said that if the Bar Examiners delve into such beliefs on the part of applicants, then it would have to investigate membership in all kinds of clubs and organizations. [redacted] remarks constituted both a statement and a question directed at Professor Cox, who, in reply, stated that he was aware that no definition of "subversive activities" had been given, but that he felt that for the purpose of the discussion of this panel they could assume the maximum, i.e., membership in the Communist Party. [redacted] was observed to engage Professor Cox in conversation after the panel adjourned.

There was nothing said during this panel discussion on the subversive applicant to the bar which raised any question concerning the practices and procedures of the FBI nor was there any reference made to the FBI during this discussion.

RECOMMENDATION:

None . . . for information.

GRC
9/3

J. Mohr

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

DATE: *Aug 16, 1958*

FROM : J. P. Mohr

SUBJECT: The Congressional Record

Pages 17717- Senator Bridges, (R) New Hampshire, requested to have printed
17723 in the Record the Supplemental Report of the Special Committee on
Communist Tactics, Strategy, and Objectives of the American Bar
Association. The references to the FBI and the Director were
set forth in an earlier memorandum.

Original filed in:

REC-72 *17-311109*
NOT RECORDED
145 SEP 9 1958

6 SEP 15 1958

In the original of a memorandum captioned and dated as above, the Congressional
Record for / was reviewed and pertinent items were
marked for the Director's attention. This form has been prepared in order that
portions of a copy of the original memorandum may be clipped, mounted, and
placed in appropriate Bureau case or subject matter files.

9-8-58

For Tolson
Belmont
Rosen

R-1

Hause

Commissioner of Internal Revenue Conference
Hotel Statler

The Attorney General related the activities at the American Bar Association Convention in Los Angeles the last week of August and stated he felt that the participants from the Department had made a very creditable representation and the Department of Justice stood well with the American Bar Association as a whole.

The Attorney General stated he wished to discuss the legislative program for this coming session of Congress. He stated that the first item on the program should be a "drive on crime." He stated that a number of bills introduced in the last session of Congress dealing with this particular problem had not been enacted, and he desired for all members of the Staff to give study and consideration to any legislation which might strengthen the federal law enforcement in its attack upon crime. The Attorney General stated he would like to have this program crystallized by November 10th.

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94-1-369-✓

NOT RECORDED

47 SEP 11 1958

194
50 SEP 12 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/4/58

FROM : J. P. Mohr

SUBJECT: AMERICAN BAR ASSOCIATION
Bm - CANON 35

The House of Delegates, American Bar Association (ABA), meeting at Los Angeles on August 26, 1958, decided by a standing vote in the ratio of 4 - 3 to make no change presently in Canon 35 of the ABA which prohibits the taking of photographs and the use of microphones in the courtroom during a trial.

This issue is hotly disputed in the ABA. Some state courts permit the making of recordings and the taking of photographs in the courtroom during a trial, and permission for such activities is being strongly urged by the National Society of Newspaper Editors, The National Press Photographers Association, and the National Association of Broadcasters. Most courts are still against it, however, and the ABA does not know which way to jump. The matter was considered at the mid-year meeting in Atlanta, Georgia, and again at this annual meeting. The decision now is to put the matter off for further study.

A newspaper clipping reflecting the action of the ABA at Los Angeles on Canon 35 is attached.

RECOMMENDATION:

None . . . for information.

REC-13

94-1-369-1110

EX.I-132

12 SEP 11 1958

Enclosure
DJD:SMS

(3) 1 - Mr. Mohr
1 - Mr. Nease
1 - Crime Records (Attention: Mr. Hoxie)
1 - D. J. Dalbey

60 SEP 17 1958

albey
3 ENCL SURVEY EX. - 132 REC. 13

DELEGATES MAKE NO CHANGE IN CANON 35, ASK MORE STUDY

Act on Committee Reports In Final Session of Delegates

There will be no change in the American Bar Association's Canon 35, pertaining to courtroom photography and sound recording pending further studies.

This was decided in an approximate 4-3 standing vote of the ABA's House of Delegates yesterday afternoon.

Report Adopted

The vote was taken on adoption of a report of the ABA's Board of Governors.

The report had to do with a proposed restatement of Canon 35 which has been under consideration but which would not have greatly modified the ABA's official stand on the subject even if adopted.

The amended Canon 35 was presented to the House of Delegates at the Delegates' midyear meeting at Atlanta and adoption was then recommended.

The report adopted yesterday said that after discussion in the Committee of the Whole, further action on this Canon was deferred until this Annual Meeting at Los Angeles, in order that the members of the House might have ample time to study the reports and data submitted at that time and such other data or information as might be made available in the meantime.

The report continued:

"Additional data and statements have recently been fur-

nished by certain of the interested media, including statements of a number of judges throughout the country, who permit the taking of pictures in their courts during trials; and representatives of three of the media, the National Society of Newspaper Editors and the National Press Photographers Association and the National Association of Broadcasters, have urged that action should not be taken at this time on amended Canon 35 and that further study of the matter be made.

"The Board of Governors believes that, under the circumstances, it would be desirable to defer action on Amended Canon 35 at this meeting and that the American Bar Association should conduct further studies of the problem, including the obtaining of a body of reliable factual data on the experience of Judges and lawyers in those courts where either photography, televising or broadcasting, or all of them, are permitted. In the meantime present Canon 35 will remain in effect.

"Accordingly, the Board recommends to the House that the proposal to amend Judicial Canon 35 be referred to a special committee composed of nine members of the Association to be designated by the incoming President, to conduct a continuing study of the problem involved in connection with Canon 35 and the proposed amendment, with authority to conduct such surveys (with the prior approval of the Board of Governors) as may be deemed necessary to obtain reliable factual data and with authority to confer with representatives of the interested media, such committee to report as early as feasible to the House of Delegates the results of its studies and surveys. The fundamental objective of the Committee and of all others interested must be to consider and make recommendations which will preserve the right of fair trial."

Media Drive

The action by the House of Delegates yesterday was taken in the fact of an organized drive by the various news media to bring to the attention of the ABA membership improved, unobtrusive methods of taking pictures and making recordings during trials.

THE DAILY JOURNAL
Los Angeles, Calif.
August 26, 1958

1480

There was no discussion on the matter by the Delegates, but Albert E. Jenner of Illinois, president of the American College of Trial Lawyer's reported that his group voted 308 to 55 to act on the proposed amendment without further delay.

Speaking for the press photographers, Joseph Costa, chairman of the board, National Press Photographers Association, said I say we are delighted that again, as in Atlanta in February, the delegates to the bar association have not accepted a proposed revision of Canon 35 that would still call for the prohibition of photography in court.

While it would have replaced the twenty-year-old offensive language that photography is "calculated to degrade" It would have raised a new and complex assumption that photography "tends to have a detrimental psychological effect." It would have set bar media relations back another 20 years.

We pledge continued co-operation with the bar in the cause of freedom of visualized information.

We are going to continue to try to convince the legal profession that the decision to restrict

the flow of news must not be generalized but must be made by each individual judge and only in special circumstances.

In other actions yesterday, the Delegates voted to continue the ABA's Special Committee on Awards to Media of Public Information.

The committee, in its first year of operation, presented awards to the media of mass information and entertainment for outstanding published articles, live dramatic productions and motion pictures which increased public understanding of the legal profession and the administration of justice.

The House also approved that the Special Committee on Co-operation with the Legal Profession of Friendly Nations continue as a special committee.

The Committee helped form the Korean Legal Center in Seoul, establishing a publication entitled "Justice" which printed articles by distinguished Korean and American lawyers and judges, set up a lecture series by Korean and American lawyers and aided in the translation of numerous laws and legal papers of Korea in English.

Also receiving affirmative vote of the House of Delegates was the recommendation that the Special Committee on Federal Liens be continued.

The House took no action from the following committees, reports of which were filed and received: Administrative Agency Appointments, Atomic Energy Law, The Federal Judiciary, The Lawyer Referral Service and the Legal Aid Work.

Held over for action today were reports from the Committees on The Judicial Administration Section, American Law Student Association and Rules and Calendar working jointly with Scope and Correlation of Work.

Final action by the Delegates yesterday saw the House kill the standing Committee on Civil Service.

THE DAILY JOURNAL
Los Angeles, Calif.
August 26, 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/3/58

FROM : J. P. Mohr

SUBJECT: ~~AMERICAN BAR ASSOCIATION~~
~~RESOLUTIONS CONSIDERED~~
~~AUGUST 28, 1958~~

Tolson
 Nichols
 Boardman
 Belmont
 Mohr
 Parsons
 Rosen
 Hamm
 Trotter
 Nease
 Tele. Room
 Holloman
 Gandy

The General Assembly of the American Bar Association (ABA) meeting in Los Angeles on August 28, 1958, considered seven resolutions, three of which are of possible interest to the Bureau. W. C. Sullivan

Resolution #1 called for the ABA to condemn the political execution of Imre Nagy, Pal Malter (Premier and Minister of Defense, respectively, of the People's Republic of Hungary during the abortive uprising against Soviet Russia), and their codefendants as being violative of the rule of law as recognized by civilized countries. The Resolutions Committee recommended the adoption of this resolution and it was adopted. The resolution was submitted by [REDACTED]

Pennsylvania: [REDACTED] Missouri; [REDACTED]

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Whitney North Seymour, New York;

[REDACTED] Washington; and [REDACTED] California.

Resolution #3, submitted by [REDACTED] of Houston, Texas, urged that "lawyers and judges in all of the states join in upholding law and order, so that no right shall go without a remedy, and mandates are not opposed by violation and force." The Resolutions Committee recommended that this resolution be not adopted, stating that the substance of the resolution was inherent in the oath taken by every lawyer. When the report of the Resolutions Committee was read, [REDACTED] asked for the floor and made a short but impassioned plea for the passage of his resolution. Although there was no direct reference to Central High School in Little Rock, Arkansas, it seemed abundantly clear that [REDACTED] was, in effect, calling for all lawyers to take a stand against such opposition to court decrees by force and violence. When [REDACTED] had finished, ABA President Charles Rhyne called for a vote on the recommendation of the Resolutions Committee that the resolution be not adopted. Although the "noes" seemed slightly louder than the "yeas," Rhyne announced that the "yeas" had it and that the resolution be not adopted.

ENCLOSURE EX. - 132

REC. 13

1 - Mr. Mohr
 1 - Mr. Nease (Attention: Mr. Hoxie)
 1 - Mr. Belmont
 1 - Mr. Rosen
 1 - D. J. Dalbey

94-1-369-110
16 SEP 11 1958

EX. - 132

THREE

DJD: sms

66 SEP 17 1958

(6) Enclosure

Memorandum to Mr. Tolson
Re: American Bar Association
Resolutions Considered
August 28, 1958

Resolution #5, submitted by [redacted] of New York, "would require all dealers of any cars, who handle used cars, to furnish a complete car pedigree, showing ownership, mileage, contents and all pertinent facts, all to be part of the pedigree, and would have the American Bar Association support appropriate laws for enforcement of such provisions." The Resolutions Committee recommended that this resolution be not adopted and the General Assembly concurred.

b6
b7C

The newspaper clipping showing the text of all seven resolutions is attached.

RECOMMENDATION:

None . . . for information.

D. J. Nichols
X V

Resolutions Will Be Voted On By Bar Convention Today

Editor's Note: Following is the report of the ABA committee on resolutions. The resolutions reported on will be presented to the Assembly today at 2 p.m. and will be voted upon at that time.

RESOLUTION NO. 1

Submitted by J. Wesley McWilliams, Pennsylvania; Jacob M. Lash, Missouri; Ernest Angel, Dudley Bonsel, Orison S. Marden, and Whitney North Seymour, New York; Herbert Little, Washington, and Homer G. Angelo, California.

This resolution was reworded by unanimous agreement of the proponents and the Resolutions Committee to read as follows:

Whereas, The announcement by the Government of the People's Republic of Hungary on June 17, 1958, of the execution of former Premier Imre Nagy, former Minister of Defense, Pal Meleter, and a number of associates has aroused wide and profound interest among the lawyers of the United States in the circumstances and procedures of this case.

Now, Therefore, Be It Resolved, That the American Bar Association condemns the political execution of Imre Nagy, Pal Meleter, and their co-defendants as being violative of the rule of law as recognized by civilized countries.

The Resolutions Committee recommends that the above resolution be adopted.

RESOLUTION NO. 2

Submitted by Charles J. Bloch, Macon, Georgia.

This resolution would require the President of the American Bar Association, whenever he conveys to the Congress or any other legislative body what he deems to be the position of the American Bar Association with respect to pending legislation, to state the action of the Association or its House of Delegates or Board of Governors which authorizes him to convey the position of the Association and what the vote, if any, was on the issue.

The Resolutions Committee disapproves this resolution because these motions are specifically covered by the By-Laws of the Association.

RESOLUTION NO. 3

Submitted by Palmer Hutchison, Jr., Houston, Texas.

This resolution urges that lawyers and judges in all of the states join in upholding law and order so that no right shall go without a remedy and mandates are not opposed by violation and force.

The substance of the resolution being inherent in the oath which every lawyer takes and subscribes to, the Resolutions Committee recommends that the resolution be not adopted.

RESOLUTION NO. 4
Submitted by Victoria Gilbert, Shelbyville, Kentucky.

This resolution recommends the creation of an Academy of National Policy, with a Board of Directors to be appointed by the President, and appointments made by outstanding leaders in science, business, labor, humanities and public affairs.

In view of the many conflicting approaches to such long-range planning problems, the developmental stage in which such matters find themselves and the fact that several approaches to such future national development are being planned or undertaken by the Association, the Resolutions Committee recommends that this resolution be not adopted.

RESOLUTION NO. 5
Submitted by Dorothy Brooks, New York, New York.

This resolution would require all dealers of any cars, who handle used cars, to furnish a complete car pedigree, showing ownership, mileage, contents and all pertinent facts, all to be part of the pedigree, and would have the American Bar Association appropriate laws for enforcement of such provisions.

The Resolutions Committee recommends that this resolution be not adopted.

RESOLUTION NO. 6

Submitted by Dorothy Brooks, New York, New York.

This resolution recommends that the American Bar Association call on the United Nations to broaden its charter to establish a subsidiary, "Little Assemblies" in each nation, and suggests solutions and methods by which an effective result through such approach may be accomplished.

The Resolutions Committee recommends that this resolution be not adopted.

RESOLUTION NO. 7

Submitted by Dorothy Brooks, New York, New York.

This resolution recommends a study of the property rights of individuals and nations in space, air, and under water, with the further recommendation that such work be done under a law committee of the United Nations.

The Resolutions Committee recommends that the resolution be referred to the Committee on Law of Outer Space of the Section of International and Comparative Law for such consideration as may be deemed appropriate by that Committee.

HALE McCOWN

Chairman

METROPOLITAN NEWS

Los Angeles, Calif.

August 28, 1958

94-1-369-111
ENCLOSURE

REC-96 94-1-369-1112 September 8, 1958

b6
b7C

[REDACTED]
Glendale 8, California

Dear [REDACTED]

① American Bar Association

Many thanks for your thoughtfulness in forwarding, under postmark of August 30, the clippings from the "Los Angeles Times" and "The Tidings." It was certainly most kind of you to bring these items to my attention, and I assure you I am very appreciative.



Sincerely,

J. Edgar Hoover

LH:glj

(3)

SEP 8 3:02 PM '58
REC'D-READING ROOM
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Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____
W. C. Sullivan _____

63 SEP 18 1958

MAIL ROOM

FRC

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson _____ ()
Mr. Belmont _____ ()
Mr. Mohr _____ ()
Mr. Nease _____ ()
Mr. Parsons _____ ()
Mr. Rosen _____ ()
Mr. Tamm _____ ()
Mr. Trotter _____ ()
Mr. W. C. Sullivan _____ ()
Mr. Holloman _____ ()
Miss Gandy _____ ()

See Me _____ ()
Note and Return _____ ()
Prepare Reply _____ ()
For Your Recommendation _____ ()
What are the facts? _____ ()

Remarks:

and a 1/2 on 9-8-58 (for ref only)

9/8

124-8604-42
62-12299-366

Enclosed

ENCLOSURE REC-96

b6
b7C

AFTER FIVE DAYS

Glennie (S) REC

Mr. J. Edgar Hoover
4936 - 30th Street, N.W.
Washington, D.C.



96-14-369 1112

14 SEP 10 1958

4936

FBI Chief's Talk Rapped by Judges

Hoover's 'Basic Fallacies' on Youth Crime Cited

The Advisory Council of Judges yesterday unanimously passed a resolution challenging portions of a recent speech by J. Edgar Hoover before the American Bar Association's judicial administration section's program on law and the layman last Monday.

The 44 judges, approving the resolution, cited what they called "three fundamental fallacies in the FBI chief's speech."

The judges stated that there is no "general breakdown of law and order amongst the present youth of America as contrasted with earlier generations."

Iron Bars Not the Answer

They said that Hoover's answer to crime, "a get-tough policy with primary emphasis upon the use of iron bars as a tool for correction," was not a satisfactory answer.

And they particularly took issue with Hoover's statement that an increase in crime is directly attributable to the failure of the juvenile courts and the probation and parole system.

The judges said that they did not believe that the younger generation of the country "is going to the dogs."

No Crime to Be Young
"We must not have America accept the notion that it is a crime to be young," they said.

The jurists said that the parole and probation systems, as well as the juvenile courts in the nation, have not had a fair trial. "They have never yet adequately been provided," they said.

The judges closed a two-day session at Pasadena's Huntington-Sheraton. The meeting marked the sixth annual gathering of the members, who sit as an advisory council for the National Probation and Parole Association.

ENCLOSURE

1940-1941
9-15580



SILENCED Robert Hillman, 20, son of a Board of Education member, looks at arsehall he wore in unsuccessful defense of his right to play "Gigi" full blast on his hi-fi set at 4 a.m. yesterday. Bandage on Hillman's chin covers cut he suffered when officers shouldered their way into his house.

94-1-369-112

Los Angeles Times
Fri, August 29, 1958

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one are the mullis
LT, 9-8-58

School Board Member's Son Jailed With Guns

Clipped on Chin by Officer Who Enters House to Silence Hi-Fi at 4 a.m.

Robert D. Hillman, APPROX 20-year-old son of Harry H. Hillman, Board of Education member, got clipped on the chin chin and jailed as the result of his reported western-style defense of his right to play "Gigi" full blast on his hi-fi

set at 4 a.m. yesterday.

Officers John J. Grindel and William S. Braun said late protests from roused neighbors took them to the Hillman home at 122 S. Plymouth Blvd., where they asked the Los Angeles City College business administration student to turn it down.

They said Hillman only demanded to know who was complaining. They repeated the sentiments of neighbors for some distance around and left.

Complaints Renewed

But 10 minutes later said the officers there was a renewal of neighborhood outrage and they returned only to see through a front window that Hillman was apparently prepared to stand his ground.

There he stood, they said, stripped to the waist and wearing a cowboy hat as well as a pair of revolvers in holsters strapped to two belts of ammunition and carrying a shotgun.

"Gigi" flooded the 4 a.m. air for the world to hear, the officers said, talking meanor complaint

through the door, got them nowhere, so Braun abruptly shouldered his way inside, socking Hillman on the chin as he went. The youth dropped, perhaps partly from the weight of his armament.

He was treated at Central Receiving Hospital for a chin cut and then was booked at Wilshire Station on suspicion of assault with a deadly weapon.

After he was bailed out, Hillman, through Atty. Marvin Mitchelson, explained he was only putting away part of the family gun collection which had been examined by guests at a party several hours before.

Parents Out of Town

Young Hillman, whose folks were out of town, said he had silenced "Gigi" by the time the police arrived the second time. He recalled he heard a knock on the door and was going to open it when the officers burst through and slugged him.

Atty. Mitchelson termed it an incredible violation of his constitutional rights. The District Attorney's office declined to issue a felony complaint and the matter was referred to the City Attorney, who set next Thursday at 2 p.m. for consideration of a possible misdemeanor complaint.

ENCLOSURE

FBI Chief Here Nation's Strength Failing

Religious and moral values are the key to the solution of the great challenges facing the United States today, J. Edgar Hoover told delegates to the American Bar Association meeting here this week.

The Federal Bureau of Investigation director addressed the ABA Judicial Administration Section Monday at the Biltmore Hotel.

Communist imperialism, he said, "constitutes a threat to the continued existence of mankind without parallel since the beginning of time."

Moral Fiber Weakening

To meet the threat, "our nation must be as representative of law and order as world Communism is of lawlessness and disorder. But at the very time that it is most imperative for us to evidence a mounting respect for law and order, we are forced to concede an ever-growing national disregard for it."

"The moral fiber of the nation is growing weaker, not stronger, at this most crucial period in world history," the FBI chief declared.

He noted spiraling crime rates, particularly among juveniles, and abuses of the traditional American concept of freedom.

Freedom of speech and of the press, he said, "must be exercised within the limits of common decency, with respect for the rights of others and with due regard for the general public safety."

Religion Needed

World Communism, he emphasized, "must be combated by a reaffirmation of the positive, creative, dynamic and democratic concepts rooted in the rule of law and in the inherent dignity and preciousness of every human being."

To meet this and the other problems challenging the nation, he concluded, "we must have clarity of thought, dedication, confidence and positive actions."

"These can be achieved by deepening our convictions in, and by applying effectively to the nation, the imperishable religious and moral values of Western civilization which remain a living, fertile source of both our law and our justice."

ENCLOSURE

August 29, 1958

The Tidings

94-1-369-112

September 10, 1958

REC-97 14-1-369-1113

EX-103

Vice Admiral Gerald Bogan
USN, Retired
6318 Muirlands Drive
La Jolla, California

Dear Admiral:

Your letter of September 1, 1958, has been received, and I deeply appreciate your thoughtfulness in writing. I am indeed grateful for your support of the views I expressed in my speech.

It was kind of you to give me the benefit of your views on your experiences in courts here and in Great Britain. I was also very interested in your comments about the problems now prevalent in the administration of military justice. Thank you very much for this information.

Sincerely yours,

J. Edgar Hoover



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Boardman _____
Belmont _____
Mohr _____
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Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____
W. C. Sullivan _____

DWB:ncr
(3) *ncr*

59 SEP 18 1958

761-11-169-28
FBI-DETROIT
FBI
K-144-102-18

SEP 10 1958
2:50 PM '58
RECD-READING ROOM
FBI
GAR

grwB

6318 Muirlands Drive
La Jolla, California

1 September 1958

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Resen
Mr. Tamm
Mr. Trotter
Mr. W. G. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

Op. M. 100

My dear Mr. Hoover:

I assume, and for that reason send my thanks to you, that you asked that a copy of your address to a section of the American Bar Association be sent to me. I also noted with regret that certain members of your audience were critical of the policy you advocated as a deterrent to crime. In my opinion those who disagreed were wholly wrong.

I have done jury service in the Superior Court of this County. It was an educational experience. The counsel who had little or no case invariably sought for a moronic or sympathetic jury. He also raised technical points with the obvious purpose of hopes for a reversal on appeal.

Many years ago, in the early nineteen twenties, I attended several sessions of comparable British courts in Southampton. Then, there were no technicalities. Only questions relative to the indictment or allegation were permitted. Nor was there emotional oratory. It was the law being administered in its purest sense. The defendant knew if he were proved guilty, his sentence was inevitable and irrevocable.

In a certain degree, the current code of Universal Military Justice was a target of your remarks. Responsible Commanders are now bereft of authority to maintain discipline. Instead, a young Special Duty Officer (Legal Eagle) prescribes the limits of their actions, and dictates their endorsements of courts convened. Hundreds of men wait months for final action, in disciplinary barracks, on their cases. Of course they are the smart phonies, a minority, who would rather wait and loaf than pay the price.

Cordially yours,

/s/ Gerald Bogan

cmd (Sect)
cmd 9-10-58
abw B
DW
COPY: hbb

Vice Admiral Gerald Bogan is on the Special Correspondents' Mailing list. A copy of the Director's speech was sent to persons on this list.

EXPIRED 23 SEP 8 1958

session of comparable British Courts in South Africa. There, there were no technicalities. Only questions relative to the jurisdiction or allegation were permitted. Nor was there oration oratory. It was the law being administered in its severest sense! The defendant knew if he were found guilty, his sentence was inevitable and irrevocable.

In a certain degree, the current Code of Univocal Military Justice was a target of your research. Responsible Commanders are now bereft of authority to maintain discipline. Indeed, a young Special Duty Officer (Legal Eagle) prescribes the limits of their actions, and dictates their endorsements of Courts Martial. Hundreds of men wait months for judicial action, i.e. disciplinary banquets, on their cases. Of course they are the suspect plotters, a minority, who would rather wait and lose than pay the price.

Cordially yours
Gerald Bogan.

6318 MUIRLANDS DRIVE
LA JOLLA, CALIFORNIA

September 1958

AMERICAN BAR ASSOCIATION

My dear Mr. Taoever:

I assure, and for that reason send my thanks to you, that you asked that a copy of your address to a section of the American Bar Association be sent to me. I also noted with regret that certain members of your audience were critical of the policy you advocated as a deterrent to crime. In my opinion those who disagreed were wholly wrong.

I have done jury service in the Superior Court of Hills County. It was an educational experience. The counsel who had little or no case invariably sought for a ^{REC-97 94-6-369-1113} ~~juror~~ ^{PO SEP 12 1958} sympathetic jury. He ¹⁰⁸ ~~also~~ raised technical points with ^{the} ~~obvious~~ purpose of hoping for a reversal of appeal. ^{GW B} Many years ago, in the early nineteen thirties, I attended several

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September 10, 1958

REC-91 94-1-369-1114

EX-108

Chairman
Juvenile Committee
Los Angeles County Grand Jury
548 Hall of Justice
Los Angeles 12, California

b6
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Dear [redacted]

I have received your letter of September 2, 1958, and sincerely appreciate your kind comments regarding my address before the Judicial Administration Section of the American Bar Association in Los Angeles.

In accordance with your request, it is a pleasure to send you under separate cover twenty-five copies of my address.

Sincerely yours,

J. Edgar Hoover

MAILED 30
SEP 10 1958
COMM-FBI

1 - M. A. Jones
USC Material

25 copies of Director's speech before Judicial Administration Section of American Bar Association.

NOTE: Correspondent not identifiable in Bufiles. 25 copies are being sent as it is impossible to determine how many members are on her committee so sufficient copies for each person named on the letterhead plus a few extra copies are being forwarded.

59 SEP 18 1958
JK:jss (5)

Folson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
Clayton
Tele. Room
Holloman
Gandy
N. C. Salkin
MAIL ROOM

WILLIAM K. STOUFFER
FOREMAN PRO TEM

MRS. GEORGE P. BENSON
MR. PAUL G. BRYAN
MRS. MIRIAM CARVER
MRS. RUTH DE HAAN
MR. J. LOUIS ELKINS
MR. A. W. HUBDON
MR. SAMUEL M. LEE, JR.
MR. ROLY P. NALL
MR. CLAIRE S. NEWBERRY

PAUL G. BRYAN
FOREMAN

MRS. GEORGE P. BENSON
SECRETARY

COUNTY OF LOS ANGELES

1958 GRAND JURY
548 HALL OF JUSTICE
LOS ANGELES 12
MUTUAL 9211
EXT. 3243

MR. BRUCE OGDEN
MR. J. ALLEN REESE
MR. ROGER J. ROELLE
DR. ELMER C. SANDMEYER
MR. JOHN A. SIMPSON
MR. JOHN M. STEINBERG
MR. K. L. STOCKTON
MR. WILLIAM K. STOUFFER
MR. EDWARD F. STOUT
MR. WM. P. SWARTZ

September 2, 1958

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Rosen
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

I had the privilege of hearing your address titled, "Law and the Layman" made to the American Bar Association at the Biltmore Bowl on Monday, August 25th. In reporting your message to my committee of the Los Angeles County Grand Jury, each member of the committee, together with other members of the jury, requested me, if possible, to obtain from you a copy of that speech. Certainly it was one that every citizen of this great land of ours should have heard.

I sincerely hope that you can comply with this request.

Yours very truly,

MC-b

Chairman, Juvenile Committee

REC-97 94-1-369-1114

20 SEP 12 1958

EX-108

EX-108 REC.

SEP 8 1958

ack. 9/10/58
J.K.

"mml"

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson
FROM : J. P. Mohr

DATE: 9/3/58

SUBJECT: AMERICAN BAR ASSOCIATION
CRIMINAL LAW SECTION
TUESDAY, AUGUST 26, 1958, AT LOS ANGELES
"JUSTICE - FOR WHOM?"

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Gandy _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

SYNOPSIS: Meeting of Criminal Law Section, American Bar Association (ABA) at 10:00 a.m. on Tuesday, August 26, 1958, in Los Angeles discussed "Justice - For Whom?" Brigadier General Charles L. Decker, Assistant Judge Advocate General, U. S. Army, presided. Decker is also Assistant Secretary of the Criminal Law Section. Assistant Attorney General [redacted] spoke on "What Price Conviction?" and defended prosecution publicity at time of arrest and the use of informants in criminal matters. He mentioned [redacted] legislation having some corrective effects on [redacted] decision. [redacted] believes [redacted] decision does not require that defense be given grand jury minutes. He described new "over-all" approach to organized crime as an improvement on the former system whereby one individual investigating agency would make limited investigation in its sphere only. Noted Los Angeles defense attorney, [redacted] told anecdotes of his cases and made no contribution to serious thought on his topic "What Price Acquittal?" Judge Irving R. Kaufman spoke on "What Price Justice?" and noted how criminal penalties seem to oscillate between the too harsh and the too lenient. Believes too lenient penalties destroy public respect for law and that inconsistencies in sentences is a great weakness in the administration of criminal justice. Kaufman said he was deeply concerned about unwarranted attacks upon the FBI and Supreme Court. During question and answer period, [redacted] expressed disapproval of defense desires for greater discovery of the prosecution's case. Judge Kaufman said the criminal defendant has greater rights in this country than in England.

RECOMMENDATION: None--for information.

REC-97 94-1-369-1115

20 SEP 12 1958

Frivolousness

- 1 - Mr. Mohr
- 1 - Mr. Nease (Attention: H. E. Hoxie)
- 1 - Mr. Belmont
- 1 - Mr. Rosen

DJD·siw

100.D.BJ.W (6) DK

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01 SEP 18 1958

Memorandum for Mr. Tolson
Re: American Bar Association

DETAILS: Referenced session opened at 10:00 a.m. and was presided over by Brigadier General Charles L. Decker, Assistant Judge Advocate General, U. S. Army, Assistant Secretary of the Criminal Law Section. It was billed as a discussion of the practical and ethical problems of trying accused persons in the criminal courts.

[redacted] Assistant Attorney General, Criminal Division, Department of Justice, led off and made several points of interest to the Bureau. [redacted] defended publicity given out by the prosecution at the time of arrest, stating that it was required for a proper response to proper inquiry by the newspaper people and that it did no harm to the defense because the passage of time between the arrest and the trial was such as to dilute the effect of the publicity, to say the least. He also defended the use of informants (to whom he referred as "informers") stating that his experience in the criminal law convinces him that the use of informants is absolutely necessary to detect and prosecute crime in the public interest. He said, however, that perhaps it would be wise to use an informant for just what he is, i.e., a procurer, fellow criminal or other such person and try not to build the informants up in the public mind as fine citizens, actuated by high motives.

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[redacted] mentioned the [redacted] case briefly and stated that no great difficulty resulted from it after the passage of "legislation limiting its effect." He said he did not know how this legislation and the [redacted] decision would ultimately affect the use of grand jury testimony, but he doubts that the defendant now has any greater right to see grand jury testimony than before. He also made reference to the established rule of law that immunity granted by state courts does not extend to Federal courts and vice versa, indicating that he believed this rule would hold except in a case where it could be shown that the Federal government made the testimony in the state courts the very foundation of the Federal case. In such a situation, which would be rare, [redacted] believes that the Federal courts would allow that immunity given by the state court for testimony on the same set of facts to extend to the Federal court.

[redacted] described briefly a new approach to criminal prosecution. He said that in the past the policy was to attack a gangster or gang from only one angle, namely that of narcotics, criminal tax prosecution or an

Memorandum for Mr. Tolson
Re: American Bar Association

investigation instituted by some other Federal agency alone. The new approach, he said, calls for a concerted drive on the organized criminal element with attention to be given to any possible prosecution on any charge and an attempt to build up the necessary case by a complete study of the criminal operation from all prosecutive and investigative angles.

[redacted] remarks were somewhat disjointed owing to the fact that he became ill soon after starting to speak and came back after a short interruption, during which the other speakers filled the gap.

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The second speaker was [redacted] famous Los Angeles defense attorney, who was billed to speak on "What Price Acquittal?" [redacted] topic was "What Price Conviction?" [redacted] did nothing more than tell interesting stories about some of his more famous cases, making no controversial comments or statements and contributing nothing to a serious examination of the subject under discussion.

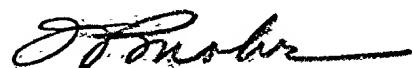
Judge Irving R. Kaufman of New York spoke on "What Price Justice?" He dealt generally with the problem of criminal prosecution as seen from the bench. On punishment, Judge Kaufman pointed out society seems to oscillate between punishment that is too heavy (as judged by penalties in England 150 years ago) and punishment that is too light. When the punishment is too heavy, juries often refuse to convict, even when the evidence is clear. When punishment is too light, the result is public impatience with the law and disrespect for it, which may lead to lynching and other results of far more serious social consequence than a system of punishments that are too harsh. Kaufman noted the problem of a judge in giving a proper sentence, one which will not be too great for the crime but yet which will adequately protect society. Among his miscellaneous observations, Judge Kaufman said "I am deeply concerned about attacks on the Supreme Court and the FBI; they are pure demagoguery." He did not expand on this topic but seemed to use it as an illustration of his belief that some attack the law because it is being enforced (FBI) and some attack the law because they think it is not being enforced (Supreme Court).

During the question and answer period following the three speeches, several men in the audience who described themselves as defense counsel

Memorandum for Mr. Tolson
Re: American Bar Association

quizzed Assistant Attorney General [redacted] on why it would not be proper for the defense to have a greater right of discovery in criminal cases, meaning more latitude for examination of the prosecution's case. During the discussion which followed, [redacted] said that any defense counsel who disclosed before trial what his evidence would be should be labeled a fool, and [redacted] said he not only did not believe in the complete disclosure of the prosecution's case that would be asked for but he also thought that if the prosecution were forced to so disclose, the same should be true of the defense. The defense lawyers in the audience made no reply to this point. One of the lawyers, [redacted] a prominent defense attorney in Los Angeles, tried to bolster his position by a reference to criminal law procedure in England. At this point Judge Kaufman got up and said that he had examined the criminal law in England in considerable detail and was convinced that individual criminal defendants in the courts in this country have far more rights and greater protection in actuality than the criminal defendant in the English courts. This statement ended the discussion on that point. Kaufman also said that in his opinion the wide difference in sentences meted out in different Federal districts where a man is sentenced for what is essentially the same crime is one of the greatest weaknesses in the administration of criminal justice.

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The Hardened Criminals

Recommendation to the American Bar Association in its annual convention in Los Angeles that hardened criminals, confirmed criminals devoted to a career of preying on innocent citizens, be sent into long term isolation is an important step in the right direction in the nation's war against crime.

It has been the position of the Herald-Express over a long period that judges have been dealing too leniently with the type of criminal who takes the measured chance that, if caught, he will spend only a short time in prison and be freed again to resume his criminal activities.

Too often, have we seen the results in Southern California. Brave police officers and deputy sheriffs have been shot down and murdered in cold blood, citizens made the victims of horrible and brutal crimes by these human vultures. We have had numerous cases like this here in the past year.

The report to the ABA's Ad-

visory Council of Judges of the National Probation and Parole Association on a proposed Model Penal Code states:

"If we can isolate the offenders who are dangerous and require long-term correctional or custodial care, we then have a better chance of securing, and a greater right to public acceptance, of shorter term treatment and public support for developing specialized short term treatment facilities for the great majority of offenders."

This is a commendable theory.

It should not be the desire of those who turn the wheel of justice to shut the door of life upon the beginners in crime who may be rehabilitated and become good citizens.

But for those who have been given their chance, not just once or twice, but many times, and continue their crime careers with no thought of halting them, there should be isolation and the caging of savage animals to protect our citizenry.

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W. C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

Los Angeles Herald-Express - 9/2/58
Sunset Edition
Editorial unsigned
William Randolph Hearst, Editor.

Re: Director's Talk Before Judicial Administration Section American Bar Association, Los Angeles 8/25/58

50 SEP 16 1958

REC-21

94-1-369-116

12 SEP 16 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : SAC, Albany (80-358)

DATE: 9/4/58

SUBJECT: COMMENT OF GENE ROBB, Publisher
Albany "Times-Union" re
Director's Talk before
American Bar Association

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Nease
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. W.C. Sullivan
Tele. Room
Mr. Holloman
Miss Gandy

✓
H. D. P. 10/11/58

There is transmitted a very complimentary comment by
GENE ROBB, Publisher of "The Times-Union," Albany, N.Y.,
on the talk delivered to the American Bar Association by
the Director.

It is my practice to send copies of the talks delivered
by the Director and reprints of articles of particular
interest to officials of the different newspapers
in this territory, transmitting them with a personal
note.

A copy of the talk delivered before the American Bar Association at Los Angeles was transmitted to Gene Robb by the attached note which contains his comment, in view of which it is being forwarded. Attached editorial appeared in "The Times Union" on Wednesday, Sept. 3rd.

I have found that by utilizing this method, the talks and articles come to the personal attention of the publishers, managing editors and editors of the key newspapers and frequently are made the subject of editorial comment and from the comments I receive both in writing and orally, they are appreciated.

1 - Bureau (Encls. 3)
1 - Albany
AC: hmm
(3)

REC-12

ENCLOSURE

REC-12

97-17369-1117

3 SEP 15 1958

X-140

67 SEP 23 1958

and letter 10/11/58
LH-9-12-58

This Ed Green

222

No action
filed

FILED

Gene:

This bears on the point you made in our brief conversation last week and I thought that you would find it interesting as well as thought provoking.

Regards,

/s/ Art

Dear Arthur:

It is indeed a splendid speech. Our national editorial today is based on it.

/s/ Gene

Gene:

This bears on the point
you made in our brief
conversation last week and
I thought that you would
find it interesting as
well as thought provoking.

Regards.

Art.

Dear Sir,
It is indeed a
splendid speech.
Our national identity
today is based on it
Gene

Leithen Cornelius Jr

94-1-369-1117
ENCLOSURE

Shocking Ransom

Director J. Edgar Hoover of the Federal Bureau of Investigation never sugar-coats the pill, when he talks about the problems and particularly the costs of crime in America.

He stuck to the grim and bitter facts when he discussed the tragic subject before the judicial administration section of the American Bar Assn. annual convention in Los Angeles.

Mr. Hoover's solemn appraisal of the situation is that we are paying a-shocking ransom to the underworld for our failure to set up a code of moral discipline that would make life and property reasonably safe in America.

In twelve years, the annual volume of major crimes has nearly doubled. Since 1950, crime has increased four times as fast as the population. In 1957, there were nearly three million crimes of violence. The annual cost in money is 22 billion dollars, which is ten percent more than we spend on education, twelve times more than we spend on churches.

But as Mr. Hoover said, we could wash all this out of our minds and forget about it, and still be utterly appalled and ashamed by one remaining factor in the situation, which is the involvement of children, not as the victims of crime but as actual participants in criminal careers.

Mr. Hoover told the association that his major concern is not for the total number of crimes or the total cost, but for the disturbing growth of juvenile crime. Last year, persons under 18 committed 53 percent of all the crimes in the four major categories of vicious and destructive thefts. In the vital field of automobile thefts, boys and girls in the lower teenage groups accounted for 67.6 percent of all arrests.

The nation is compelled in these frightful circumstances, as Mr. Hoover said, to quit brushing the evil facts about juvenile crime under the rug, and to recognize that "this major problem is no longer one of youthful offenders but rather one of young criminals."

He put the American people as a whole on sharp warning that in dealing with juvenile delinquency they have let "the smog of ill-considered theories, unrealistic contentions and gushing sentimentalism obscure the basic facts."

Mr. Hoover is right that communities and individuals alike have too long tried the practice of over-indulgence with vicious criminals because of their youth. He is especially right that "in the interest of self-preservation, it now is time for sterner measures."

And among these sterner measures is that of meeting the moral challenge, not of young people alone, for they are the mirrors of adult bad morals and weaknesses; but of the families and neighborhoods where the good example is the first condition of sound leadership.

The Times Union
Albany, N. Y.
September 3, 1958

ENCLOSURE 94-1-369-1119

GENE ROBB

PUBLISHER
THE TIMES-UNION

ALBANY, NEW YORK

94-1-369-1117
ENCLOSURE

Office Memo • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/4/58

FROM : J. P. Mohr

SUBJECT: AMERICAN BAR ASSOCIATION
MILITARY JUSTICE

During the final meeting of the House of Delegates of the American Bar Association (ABA), Franklin Riter of Salt Lake City, Utah, Chairman of the Committee on Military Justice, proposed that the ABA support legislation to provide that the arrest of civilians whose arrest is desired by military authorities is to be made by the U. S. Marshal. The motion carried and it is presumed that such legislation will now be presented by the ABA at the next session of Congress. As explained by Mr. Riter, this subject grows out of a [redacted] case of several years ago in which a Los Angeles lawyer named [redacted] was wanted by a court of military justice (Marine Corps) on a charge of contempt. [redacted] refused to appear whereupon two Marines went to his office and carried him bodily from that place to the military court. The affair created considerable excitement on the West Coast with some reverberation in Washington, D. C., all of which was greatly aggravated by the fact that [redacted] is allegedly a communist, has strong communist connections, and was able to get various groups behind him in an effort to get a lot of publicity and make himself appear a martyr. These facts should not be allowed to obscure the basic fact, however, that the American system is basically distrustful of the military authority and a commotion is quite likely when any civilian is arrested by the military.

[redacted] is the subject of Bureau files 52-67897, 44-5443, 74-1555, and 100-49214. In connection with this same general matter, [redacted] was eventually convicted of conspiracy to steal Government property (documents of the Marine Corps concerning the case in which he was defense lawyer for an enlisted man, and was held in contempt) and was given a 3-year sentence on that charge, which he served in due course.

It is believed that the Bureau should follow this proposed ABA legislation for the purpose of having that legislation read, if

REG-6 94-1-369-118

1 - Mr. Mohr
 1 - Mr. Nease
 1 - P. G. Travers
 1 - Mr. Hoxie
 1 - D. J. Dalbey

EX. - 132 2 SEP 16 1958

57 SEP 23 1958

1 auto copy
9-17058

Memorandum to Mr. Tolson
Re: American Bar Association
Military Justice

possible, just as the ABA proposes, namely, that the arrest of civilians desired by the military authorities shall be made by the U. S. Marshal. Cases of this kind do not call for the exercise of the Bureau's investigative ability and we believe that no good purpose whatsoever would be served by having the Bureau make such arrests or be otherwise mixed up in the case when the action taken is not based in any way on a Bureau investigation.

RECOMMENDATION:

That the Legislative Unit of the Administrative Division follow this legislation closely.

J. W. Mark
X V

September 15, 1958

94-1-369-1119

REC-92

b6
b7c

X-135

Los Angeles, California

Dear [redacted]

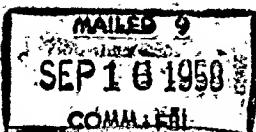
Thank you very much for the attractive greeting card from your wife and you postmarked September 8, 1958.

You may be sure I am grateful for the interest which prompted you to communicate with me.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director



1 - Los Angeles - Enclosure

SEP 15 3 47 PM '58
REC'D-READING ROOM

F B I

NOTE: No identifiable data in Bufiles or in the records of the Reading Room and Director's office concerning [redacted] No derogatory data re J. W. Robinson and Company.

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____
W. C. Sullivan _____

60 SEP 24 1958

MAIL ROOM [redacted] F396

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
LOS ANGELES FIELD OFFICE
SEP 24 1958
FBI - LOS ANGELES
RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
LOS ANGELES FIELD OFFICE
SEP 24 1958
FBI - LOS ANGELES

DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Nease _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Trotter _____
Mr. Jones ~~smiling~~ Yd
Mr. W.C. Sullivan _____
Tele. Room _____
Mr. Holloman _____
Miss Holmes _____
Miss Gandy _____

acknowledged
9-15-58
LH

1 copy typed 9-12-58

Just a line to tell you how much we enjoyed your television talk at the time of the Bar association Convention. We are with you all the way. Think if you could go into the J.W. Robinson Co. plans to take over the city of Los Angeles you would see one of the centers of L.A. Crime.

Cordially

SEASIDE HOTEL



b6
b7C

I
To wish you good luck —
A lot of success
And a future rich
In HAPPINESS!



the Norcross
American Beauty

RECORDED

SSCORR
**

American Bar Association *By*

REC-92

94-1-369-1119

EX-135

16 SEP 17 1958

CRIME REC.

67220

July 15, 1958

MEMORANDUM FOR THE ATTORNEY GENERAL

With reference to our conversation this morning, I am enclosing a tentative draft of the remarks which I propose to make at the American Bar Association in Los Angeles in August.

This is not a finished product and I will appreciate any suggestions or criticisms which may occur to you in connection with the speech.

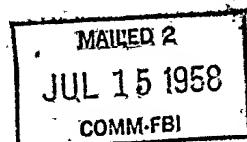
Respectfully,

JEH

John Edgar Hoover
Director

1
Enclosure

CT:LCB
(3)



7 SEP 18 1958
MAIL ROOM

REC- 40

14-1-369-1120
to SEP 18 1958

7/15/58 3:00 PM
REC'D FBI WASH D.C.